The Solicitors Journal.

LONDON, SEPTEMBER 4, 1886.

CURRENT TOPICS.

We print this week the new Bankruptcy Rules, and the new Scale of Solicitors' Costs in Bankruptcy, both of which are discussed elsewhere.

With a heavy paper, Mr. Justice Stirling sat on Wednesday until half-past five o'clock, but was unable to dispose of the whole of the business before him. The learned judge purposes to sit for Chancery business on Wednesday and Friday next week. On the latter day no fresh cases will be taken, and the paper will consist of those left over from Wednesday.

One useful little alteration will be found in the Supreme Court (Funds) Rules, 1886. Rule 6 provides that the business name of a firm may be set down in an order where money is payable to a firm, so that it will be no longer necessary to insert the Christian and surnames of all the partners; but the addition of the addresses which the same rule prescribes is qualified by the proviso, "if known at the time of preparing the schedule." Addresses frequently change, and this is especially the case where there is a long list of creditors to be paid. Seeing that a considerable time elapses before a fund becomes cleared for paying creditors, the paymaster will probably be troubled by the return of dead letters marked "Gone away" or "Not known at this address," and containing cheques.

Lord Herschell is said to be utilising his enforced leisure as an ex-Lord Chancellor by a visit to Vienna for the purpose of studying the judicial institutions of Austria; and, before his return home, he will doubtless continue his investigations in other capitals where the Long Vacation is less protracted than in London. Our retired Chancellors have generally considered that they sufficiently earn their pensions by assisting in the appellate sittings of the House of Lords, although, even in this respect, they have occasionally taken a somewhat liberal view of their obligations; but even the most strictly conscientious of economists ought to be appeased if the retiring pensions of Lord Chancellors are to be regarded in the light of travelling fellowships, enabling the holder to study and investigate foreign systems of procedure and jurisprudence with a view to the improvement of our own judicial system.

It is to be hoped that Mr. Justice Grantham will have recovered from his recent accident in the cricket field in time to relieve Mr. Justice Stirling of the duties of Vacation Judge by the middle of the present month. An accident to a judge at a cricket match is a somewhat unusual occurrence; but a fondness for the game is not uncommon among numbers of the judicial bench. Two other judges—Justices Chitty and Smith—were formerly celebrated as cricketers, and the former was also at one time a devoted lawn tennis player, although he is understood to have abandoned the latter pastime on becoming a judge. Success in athletic pursuits is by no means incompatible with forensic and judicial eminence, as is shown by the circumstance that the Master of the Rolls and Justices Denman, Chitty, and Smith have all taken part in the University Boat-race. Mr. Justice Wills was formerly a distinguished member of the Alpine Club, and the present Attorney-General, when at Cambridge, obtained great celebrity as a runner.

The application made at Bow-street Police Court a few days ago for a summons for libel against a certain nobleman was one of a somewhat novel character, as the defamatory matter complained of had been published in a newspaper report of what purported to be an interview between the writer and the nobleman in question. The magistrate, however, refused the summons, on the ground that there was no evidence of publication by, or with the knowledge of, the person against whom the summons was asked for. It is easy to imagine cases in which a very gross libel might be published in the form of a report of an interview and in which it might be possible to prove a criminal responsibility on the part of both parties to the alleged interview; but, considering the extent of the recent development of the practice of interviewing, it would be a serious matter to hold a person criminally liable for any interpretation which a zealous newspaper correspondent may place upon an expression of views elicited from him, often in answer to very intrusive and impertinent questions. Moreover, the verbal statements made by the subject of the interview could only become the subject of criminal proceedings by proof of some sort of conspiracy or collusion between the speaker and the person who reduces them to writing.

The question asked in the House of Commons last Monday by Mr. Buchanan with reference to the order made by the Secretary of State for India for the annexation of Upper Burmah in exercise of the powers vested in him by the Government of India Act, 1859 (21 & 22 Vict. c. 106), without the consent of his Council, had reference to the relations between the Secretary of State and the Council of India as constituted by the statute in question. The 25th section provides that, "if a majority of the Council record (as aforesaid) their opinions against any act proposed to be done, the Secretary of State shall, if he do not defer to the opinions of the majority, record his reasons for acting in opposition thereto"; and the 25th section is in the following terms: "Provided, that where it appears to the Secretary of State that the despatch of any communication, or the making of any order, not being an order for which a majority of the votes at a meeting is hereby made necessary, is urgently required, the communication may be sent, or order given, notwithstanding the same may not have been submitted to a meeting of the Council or deposited for seven days as aforesaid" (under the 24th section), "the urgent reasons for sending or making the same being recorded by the Secretary of State, and notice thereof being given to every member of the Council, except in the cases hereinafter mentioned." On the assumption that the 26th section was the one under which the annexation had been ordered, Mr. Buchanan asked if the reasons recorded by the Secretary of State for making the order could be laid upon the table of the House; but Sir John Gorst explained that the powers which had been exercised were those conferred by the 27th section, which is as follows: "Provided also, that any order, not being an order for which a majority of votes at a meeting is hereby made necessary, which might, if this Act had not been passed, have been sent by the Commissioners for the Affairs of India through the Secret Committee of the Court of Directors to Governments or Presidencies in India, or to the officers or servants of the said Company, may, after the commencement of this Act, be sent to such Governments or Presidencies or to any officer or servant in India by the Secretary of State, without having been submitted to a meeting or deposited for the perusal of the members of the Council, and without the reasons been recorded or notice thereof given as aforesaid." In making an order under the latter section, it was of course unnecessary for the Secretary of State to make any record of his reasons for so acting, the functions of the former Secret Committee being in effect preserved in the government of India through the Secretary of State.

The law as to the defence of privilege in actions for libel appears to be always in a state of development, and during the past

legal year there have been four reported decisions bearing upon this subject. In *Jones* v. *Thomas* (34 W. R. 104) the Queen's Bench Division decided that, where a communication which is on the face of it defamatory is privileged by reason of its being written in the interests of the plaintiff's employer, the privilege is not taken away by the fact that the statement was published and reduced to writing in the presence of third parties. In *Proctor* v. *Webster* (L. R. 16 Q. B. D. 112) the plaintiff, who was a sanitary inspector under the Contagious Diseases (Animals) Act, sued for a libel contained in a letter addressed by the defendants to the Privy Council. Express malice was proved, and it was held that there could be no absolute privilege merely because the Privy Council was a tribunal competent to remove the plaintiff from office. *Davis* v. *Shepstone* (34 W. R. 722, L. R. 11 App. Cas. 187), which came before the Privy Council on appeal from the Supreme Court of Natal, involved a still more important question of privilege. The libel complained of had been published in a colonial newspaper, and it attributed to the plaintiff gross misconduct while holding the office of Resident Commissioner of Zululand. The statements were partly derived from information sent from Zululand to the late Bishop Colenso, and were partly obtained by a member of the staff of the newspaper at an interview with certain Zulus who were conveying a message to the Governor of Natal. The plaintiff had obtained in a colonial court a verdict for £500 damages; but it was contended that there had been a misdirection at the trial, because the jury had not been told that the plaintiff could succeed only on proof of express malice on the part of the defendant. The Judicial Committee held that no privilege had been establishe Lord HERSCHELL pointing out the distinction "between comment or criticism and allegations of fact," and expressly laying down that the press has no privilege in publishing defamatory allegations as to matters of fact, except in the case of reports of proceedings in Parliament or in courts of justice. The privilege attaching to reports of judicial proceedings was recognized by the Queen's Bench Division in the recent case of *Macdougall* v. *Knight* (34 W. R. 727). Previous litigation had taken place between the same parties in the Chancery Division, and the defendants had published and circulated, in the form of a pamphlet, a judgment delivered by Mr. Justice NORTH. The judgment was reported accurately and fairly, and the publication was made *bonâ fide* and without malice, but Mr. Justice NORTH had imputed fraud to the plaintiff; and it was argued that, as the defendants had only circulated the judgment, and had not published the whole of the proceedings at the trial, the publication could not be privileged. All the judges of the Court of Appeal concurred in holding that, on the ground of public policy, any report of either the whole or part of a proceeding in a court of justice was privileged, so long as it was a fair one; and Lord Justice BOWEN laid down that "a fairly summarised report of such proceedings" could not be actionable. The Master of the Rolls expressed himself more strongly than either of his colleagues; for, in dealing with the argument that the jury ought to have been asked whether Mr. Justice NORTH's judgment was a fair representation of the facts, he observed that such a course would have been "preposterous, . . . most mischievous, contrary to public justice and public good, and would tend to destroy the independence of the judges."

SOLICITORS' COSTS IN BANKRUPTCY.

WE have already referred to the new scales of solicitors' costs in bankruptcy which have at length been published and are printed elsewhere, and we will now discuss them in detail.

The scales are six in number, some of them being sub-divided under different headings. Scale I. is headed, "Petitioning Debtor's Solicitor's Costs," and is sub-divided into four parts. The first part regulates the costs in summary cases under section 121; and in cases where the assets do not exceed £200 one lump sum is fixed to cover all costs, exclusive of court fees and other proper disbursements. Where the assets are certified as not likely to realize £100, this fee is fixed at £3, with an additional fee of 10s. where an order of adjudication is obtained on the application of the debtor; and where the assets exceed that amount, but are certified as not likely to realize £200, these amounts are increased to £4 and 13s. 4d. respectively. Where the assets exceed £200, but are certified as not likely to realise £300, the detailed list of charges provided by the second part of the scale is to apply, but three-fifths of the amount of such charges only are to be allowed. The foregoing allowances, although somewhat meagre, are a decided improvement on the scale heretofore in force, by which in cases of summary administrations three-fifths of fees, amounting in the aggregate to £2, with the charges for drawing and copy bill of costs at the rate of 4d. per folio, and an attendance on taxation only, are contemplated. But it is clearly proper that the costs in such small cases should be kept down to the lowest point consistent with fair remuneration for the work done, and we think there is not much fault to be found with the scale on this ground.

The second part of Scale I. deals with the costs of petitioning debtors' solicitors "in non-summary cases," and introduces a new feature in providing for a sliding scale to be allowed as instructions for petition. In cases where the assets are certified as not likely to realise £500 the fee is fixed at £3 3s., rising by steps to £10 10s. where the assets exceed £7,500, and do not exceed £10,000, with a further £1 1s. for every additional £2,500 or fraction of that sum of assets beyond the first £10,000. Under the Act of 1869, in cases of liquidation by arrangement, the taxing officer was directed to "exercise a fair discretion as to the allowance of preliminary or other charges connected with the debtor's failure, and any steps taken to protect the estate for the general benefit of creditors, subject to order of court or resolution of creditors," and a uniform fee of £1 was allowed for instructions for petition in addition thereto. The substitution of a sliding scale is, in our opinion, a happy idea, as, the larger the estate, the greater the amount of trouble and anxiety to the solicitor; and the provision for remuneration in this way will remove the temptation to run up preliminary and other costs which existed under the scale in liquidation cases. In addition to the fee for instructions for petition under this scale the following fees are also allowed, which were not provided for under the expiring scale—viz., search for prior petition, 6s. 8d.; attending official receiver with deposit, 6s. 8d.; attending presentation and hearing of petition, increased from 6s. 8d. to 10s.; drawing receiving order and copy, and attending passing, 10s.; preparing order of adjudication on application by debtor, £1; attending official receiver on receiving order being made and giving him all necessary information, 13s. 4d.; letters, messengers, &c., 6s. The fact that these most reasonable charges are omitted from the expiring scale is, in itself, sufficient condemnation of that scale, for undoubtedly, whether allowed for or not, all the work represented by these charges has had to be done by solicitors who have filed debtors' petitions. Further charges are to be allowed in special cases as provided by the following scales.

Part 3 of Scale I. also introduces a new feature by providing for the allowance of a debtor's solicitor's costs on consenting to a receiving order on a creditor's petition. As in the case of a debtor's petition, the fee for instructions for and drawing consent is upon a sliding scale, beginning at £1 1s. where the assets are not likely to realise £500, and rising to a maximum of £3 3s. where the assets exceed £2,500. This fee is only to be allowed if a receiving order is made by consent within five days after service of petition. In addition to this fee, the following charges are also provided for:—Preparing order of adjudication on application of debtor, £1; attending official receiver on receiving order being made, and giving him all necessary information, 13s. 4d.; letters, messengers, &c., 6s.

Part 4 of the same scale relates to "debtor's solicitor's costs on filing a declaration of inability to pay." The items are only two, as in the expiring scale—viz., Instructions for drawing and attesting, including affidavit of identity where requisite, 13s. 4d.; and attending filing, 6s. 8d.; but it is provided that "the expense of an assignment shall not be allowed where a declaration of inability would answer the purpose." There is a similar note in the expiring scale; but inasmuch as there is no provision whatever in either that or the new scale for the allowance of the expense of an assignment in any case, this note certainly requires explanation.

Scale II. is headed "Petitioning Creditor's Solicitor's Bill of Costs." Part I. contains the costs of a bankruptcy notice, which are the same as in the expiring scale, with an additional fee of 6s. 8d. for affidavit of service of notice (where necessary) and attending swearing. There is also a new provision in the shape of a note to these charges, to the effect that in case the notice is dis-

puted on any grounds, "all necessary charges in addition to the foregoing shall be allowed" for getting up the case, including counsel's fees where necessary. The second part relates to costs of "proceedings on petition," and begins with the old fee of "Instructions for petition, £1." There are a number of alterations here from the scale now in force. Instead of a uniform fee of ten shillings for examining witnesses as to act of bankruptcy, it is provided that, "Where the act of bankruptcy arises under sub-sections 1 (*a*, *b*, *c*, *d*, *e*, or *h*) of section 4, special attendances (where necessary) to examine witnesses as to the facts they can prove shall be allowed, the charges for which and for summoning them, or for affidavits, shall be in the discretion of the taxing officer according to the circumstances; and where it is necessary to instruct counsel to support the petition, the usual charges for brief and counsel's fee shall be allowed. Where the petitioning creditor is a company or corporation with a common seal, the fee for attesting the petition is fixed at 13s. 4d., instead of 6s. 8d. An attendance (6s. 8d.) on the official receiver with deposit is also allowed. Where the attendance on presentation of petition is by agent the fee is fixed at £2 instead of £1, and there is a note that "where the solicitor resides at a distance from the court, his travelling expenses may be allowed, provided the total charge does not exceed costs of attendance by agent." There are also new items for affidavits as to act of bankruptcy and petitioner's debt, and where the debtor consents to an immediate receiving order and does not employ his own solicitor; the fee in the latter case ranging from £1 1s. where the assets are under £500, to £3 3s. where the assets exceed £2,500, similar to Part 3 of Scale I. The attendance at court on hearing of petition, for which under the expiring scale a fee of 10s. only is allowed, is fixed at £1, and, if by agent, at £2; and new charges are allowed for drawing receiving order, making copy and attending passing, 10s.; and for attending the official receiver thereafter, 13s. 4d., as well as for attending court where adjournment ordered, and in connection with the appointment of an *interim* receiver. Part 3 relates to the costs for substituted service, and the only alteration is in increasing the fee for instructions, &c., from 6s. 8d. to 15s. Part 4 consists of costs where the debtor disputes the petition, and is similar to the expiring scale, as also is Part 5, consisting of costs where the debtor is required by the court to enter into a bond.

Scale III. provides for "special costs," where application for a special manager is made to the official receiver. These are very similar to the charges on the appointment of an *interim* receiver, and will probably average in the aggregate about £5. The costs of an unsuccessful application, however, are not to be allowed except upon a certificate of the official receiver. A fee of £1 1s. for attendance at the public examination, where the court thinks such attendance necessary, is also provided, as well as fees of 13s. 4d. each for attending official receiver upon preliminary examination of debtor, and for attendance at first meeting of creditors if the official receiver certify that the attendance was necessary in the interest of the estate. Provision is also made for allowing the petitioning creditor's solicitor "all proper charges at the rate specified in the scale for all work necessarily or usefully done in the interests of the creditors generally for the protection or benefit of the estate between the presentation of the petition and the date of the receiving order, if the official receiver shall certify that the work done was necessary or useful"; also "in exceptional cases where the petitioning creditor's solicitor has, prior to the presentation of the petition, rendered special services in the interests of the creditors generally, and such services shall have assisted to preserve or increase the assets, or otherwise been of substantial advantage to the estate"; for the allowance of "all proper charges for such services at the rate specified in the scale," upon a like certificate; and for the taxation of costs of work done "where the official receiver employs the petitioning creditor's solicitor, or the debtor's or other solicitor, to take any steps for the protection or benefit of the estate, or in other matters not included in the foregoing scale." All the provisions of this scale are new, and clearly show a desire on the part of the authorities to meet the complaints of the profession against the old scale fairly and generously.

Scale IV. regulates the fee for the cost of taxation of petitioners' costs, after which are appended notes that "no charges, except those included under the preceding scales, shall be allowed in the case of a debtor's petition or unopposed creditor's petition, unless, in the latter case, the taxing master considers that for special reasons additional items may be allowed," and for the allowance of additional costs for necessary matters where the petition is opposed. Scale V. consists of the costs of debtors' solicitors (1) where the court allows costs to the debtor on a bankruptcy notice being set aside, and (2) where the court allows costs to the debtor on dismissal of petition. The only remark we have to make upon this scale is with respect to the fees allowed for attending court. If the application is heard, the fee is £1 1s. (it was only 13s. 4d. in the old scale), and if adjourned, 10s. 6d. Under Scale II. the corresponding fees allowed to petitioning creditors' solicitors are £1 and 13s. 4d. respectively, and, if only for the sake of uniformity, we think the fees should be the same. The last scale (VI.) contains Miscellaneous and General Costs under eight different heads—viz., (1) Costs of the day on adjournment where no fixed amount is named in the order; (2) Warrants; (3) Service; (4) Instructions; (5) Drawing documents; (6) Perusals; (7) Attendances; and (8) Letters, telegrams, &c. These seem to provide fully and fairly for all work coming under those respective heads, and do not call for any special remark.

The scales are followed by a code of "general regulations," consisting of twenty rules. These are for the most part based upon the regulations of the High Court; but there are one or two new provisions of considerable importance. Thus, rule 14 provides that, "in special cases, where counsel are not instructed to appear in court, and the solicitor acts as advocate, a charge by the solicitor for the preparation of minutes of fact or evidence for his own use may be allowed, and, in addition, such special fee as the taxing officer may think fit, having regard to the nature and importance of the case, and the questions involved"; whilst rule 18 provides for the review of a taxation before a judge at the instance of any person dissatisfied.

THE NEW BANKRUPTCY RULES.

We recently commented on the new Bankruptcy Rules, made under section 127 of the Act of 1883, which are to come into operation on the first day of next sittings, and which are printed in full elsewhere. We propose now to discuss some of the rules which we were unable then to refer to, or which we were only able to note very briefly.

The new rules dealing with costs are important. The old rules 100 and 105, which respectively provide that all costs shall be in the discretion of the court and deal with the order in which costs incurred shall be paid, are repealed. The new rule in lieu of the present rule 100 provides that, subject to the other rules as to costs, all costs relating to proceedings in court shall be in the discretion of the court, and further contains a proviso, similar to that in R. S. C., 1883, Ord. 65, r. 1, that, where any issue is tried by a jury, the costs shall follow the event, unless, upon application made at the trial for good cause shewn, the judge before whom such issue is tried shall otherwise order. It is to be noted that under this proviso the application that the costs may not follow the event must be made at the trial. This is in accordance with the old rule of the Supreme Court for which the present ord. 65, r. 1, was substituted; but this, of course, does not affect the difficulties—as to whether or not the existence of good cause was a question of fact which would render the exercise of the judge's jurisdiction subject to appeal—which were descanted on by the Lord Chief Justice with so much eloquence in *Huxley* v. *West London Extension Railway Co.* (L. R. 17 Q. B. D. 377). The new rule which is substituted for rule 100 also contains useful provisions with regard to the taxation of costs.

With regard to the order of priority in which costs are to be paid out of the estate, rule 105 is annulled. Under this rule the order of payment of costs is as follows:—(1) *Ad valorem* duty on assets realised (Table D.); (2) Expenses of realisation; (3) Court fees; (4) Remuneration of special manager; (5) Petitioner's costs; (6) Charges of person who assists in preparation of statement of affairs. Under the new rule the assets remaining after payment of the expenses incurred in realizing the assets of the debtor will be liable to the payment of the following costs and expenses in the following order:—(1) Expenses incurred by the official receiver in protecting the property of the debtor, or any expenses incurred by him or by his authority in carrying on the business of the debtor

(2) Fees and charges payable under Table B. of the scale of fees, and any other fees and charges payable to, or incurred by, the official receiver. A petitioning creditor's deposit is only available for the above fees and charges. (3) Fee chargeable and expenses incurred by the *interim* receiver, if any; (4) *Ad valorem* duty payable under Table C. of the scale of fees; (5) Remuneration of the special manager, if any; (6) Taxed costs of the petitioner; (7) Charges of person who assists in preparation of statement of affairs; (8) Allowance made to debtor by official receiver; (9) Taxed charges of shorthand writer appointed by court; (10) Trustee's necessary disbursements other than actual expenses of realization; (11) Costs of any person properly employed by trustee with sanction of committee of inspection; (12) Allowance made to debtor by trustee with sanction of committee; (13) Remuneration of trustee; (14) Out of pocket expenses incurred by committee, subject to approval of Board of Trade.

The practice under rule 104, which empowers the Board of Trade to require a review of taxation which has been made by a registrar of a county court has not been found to work very smoothly. In fact, in one case the question was raised as to whether or not the Board of Trade had power under this rule to insist on a review of taxation without an order of the court for that purpose (see *Re Rodway*, W. N., 1884, p. 188). The new rule which supersedes rule 104 removes any doubts on this point which may have arisen, whilst it expressly authorizes the Board of Trade to appear upon a review of taxation, and further provides that the certificate of the taxing officer shall, in every case of a review by him under the rule, be a sufficient authority to entitle the person to whom the amount disallowed ought to be repaid to demand such amount from the person liable to repay the same.

Another new rule dealing with costs appears to be a very salutary one. It provides that, in any case in which, after a bankruptcy petition has been presented by a creditor against a debtor, and before the hearing of such petition, the debtor files a petition, and a receiving order is made on the petition of the debtor, no costs will be allowed to the debtor or his solicitor out of the estate unless, in the opinion of the court, the estate has benefited thereby, or there are special circumstances which make it just that such costs should be allowed. Other rules, in substitution for rule 107, deal with the apportionment of costs in cases of bankruptcy.

An important modification—with the view of rendering proceedings as expeditious as possible—is introduced into rule 149, which deals with proceedings on petition. Provision is made to prohibit the making of an order for extension of time for the hearing of a petition beyond fourteen days from the time fixed for the hearing of a petition, unless the court is satisfied that such extension of time will not be prejudicial to the general body of the creditors; and it is further provided that, after the expiration of a month from the day appointed for the hearing of a petition, no further adjournment of the hearing by consent will be allowed, except for the reasons set forth in rule 139 of the Bankruptcy Rules, 1883, or for such other sufficient reason, to be stated in the order for adjournment, as the court thinks fit.

With regard to receiving orders rule 150 is annulled, and new forms are substituted for forms 28 and 29—the forms for receiving orders on the debtor's petition and on a creditor's petition respectively. The difference between the new forms and the old consists in a note appended to the former, requiring the debtor, immediately upon the service of the order, to attend the official receiver of the court. This is in accordance with rule 237 of the Bankruptcy Rules, 1883.

Further new rules deal with adjudications, and provide for adjudication in the case of failure by the debtor to carry out a proposed composition; whilst there are other rules relating to compositions and schemes of arrangement. These rules involve an alteration in rule 160, but in other respects they are merely supplementary to the present rules. Their general effect is to diminish the costs of applications to the court to sanction a composition or scheme, and to make effective provision for bringing the report of the official receiver before the court and the creditors. They provide that, on applications to approve, the report of the official receiver must be filed four days before the time fixed for hearing the application, and that, on the hearing, the court, besides considering the report of the official receiver, shall hear the official receiver and the trustee (if any) thereon; whilst an appeal is to lie to the Court of Appeal at the instance of the Board of Trade or of the trustee. The debtor's costs are not to be allowed out of the estate if the court refuses to sanction the composition or scheme.

CONCERNING SEARCHES.

(IV.) PURCHASER'S TITLE DEFEATED BY UNREGISTERED EXECUTIONS.

Execution not Necessarily Registered.—It is often forgotten that an execution does not, except in the case of a *fi. fa.*, necessarily lead to sale. A judgment creditor who obtains possession or receipt of the rents and profits of his debtor's land under an *elegit* or by the appointment of a receiver is not bound to register his execution under 27 & 28 Vict. c. 112, but he may be content to obtain payment of his debt by receipt of the rents; on the other hand, if he registers his execution, he is able to obtain from the Chancery Division an order for sale (see section 4). We propose in this article to explain shortly the nature of the ordinary forms of execution that can affect land, and the effects that they have if not registered.

Execution, when Issued.—Execution can be issued, as between the original parties to the judgment or order, at any time within six years from the recovery of the judgment or date of the order, and by leave of the court after the expiration of that period or any change of parties; the writ of execution remains in force for one year only from its issue unless duly renewed. See R. S. C., 1883, ord. 42, rr. 20, 22, 23, also, as to writs, R. S. C., 1883, ord. 43.

Elegit.

What can be Seized.—Under an *elegit* the sheriff can seize the debtor's land or tenement (Bro. Ab. *Elegit* 13), where it is a legal interest in possession, or the entire equitable fee (see the Statute of Frauds, 29 Car. 2, c. 3, s. 10), or a legal fee subject to a term of years (*Mayor of Poole* v. *Whitt*, 15 M. & W. 571), or to an equitable mortgage (*Whitworth* v. *Gaugain*; 1 Phill. 728), or a legal term (*Fleetwood's case*, 8 Rep. 171), or an outstanding attendant term (*Phillips* v. *Evans*, 1 Cr. & Mee. 450), or copyholds, or lands over which the debtor has a disposing power which he might, without the consent of any other person, exercise for his own benefit (1 & 2 Vict. c. 110, s. 11). Formerly the sheriff could seize the debtor's goods, but he has been unable to do so since 1883 (see the Bankruptcy Act, 1883, s. 146); this provision does not affect the right to seize chattels real (*Richardson* v. *Webb*, 76 L. T. 397).

What cannot be Seized.—On the other hand, where the debtor is entitled to a legal interest in remainder expectant on a particular estate of freehold (*Re South*, L. R. 9 Ch. 369), or to a partial equitable interest (*Forth* v. *Norfolk*, 4 Mad. 503; *Doe d. Hull* v. *Greenhill*, 4 B. & Ald. 684; *Harris* v. *Booker*, 4 Bing. 96), or to an equitable life estate (*Tillett* v. *Pearson*, 22 W. R. 209), or to the equity of redemption in fee (*Plunket* v. *Penson*, 2 Atk. 290; *Thornton* v. *Finch*, 4 Giff. 515; *Anglo-Italian Bank* v. *Davies*, L. R. 9 Ch. D. 275), or of a term (*Lyster* v. *Dolland*, 1 Ves. jun. 431, 3 Bro. Ch. 477), or where the land is already extended (*Carter* v. *Hughes*, 2 H. & N. 714), the sheriff cannot seize the debtor's interest under an *elegit*. Further information as to what can and cannot be seized will be found in Chitty's Archbold's Practice and in Churchill on Sheriffs.

Proceedings under Elegit.

It should be observed that the sheriff does not give physical possession of the land under the *elegit*, but he holds an inquisition before a jury (2nd Inst. 396), of which no notice need be given to the debtor (*Steed* v. *Layner*, 2 Lord Raym. 1382), to inquire as to the lands and tenements of the debtor and their value (*Palmer's case*, 4 Rep. 74; *Ex parte Abbott*, L. R. 15 Ch. D., at p. 451). He then makes his return "to" the writ (see below) and afterwards returns the writ (*Hoe's case*, 5 Rep., at p. 90a), and, if any lands have been extended, the inquisition must also be returned and filed (2 Chitty's Archbold's Practice (1885), 884). By the return to the writ the creditor acquires legal possession of the land—*i.e.*, a mere right of entry (see *Underhill* v. *Devereux*, 2 Will. Saund. 69; *Hughes* v. *Lumley*, 4 El. & Bl. 274; *per* Mellish, L.J., *Hatton* v. *Haywood*, L. R. 9 Ch. 236)—which he can enforce by ejectment (*Lowthal* v. *Tomkins*, 2 Eq.

Cas. Ab. 380; *Bishop of Bristol's case*, 3 Leon, 113; *Lloyd* v. *Davies*, 2 Ex. 103; *Poole* v. *Whitt*, 15 M. & W. 571; *Harris* v. *Booker*, 12 Moore, at p. 285; *Hughes* v. *Lumley*, 4 El. & Bl. 274, 358); the opinion expressed by Gibbs, C.J., in *Rogers* v. *Pitcher* (6 Taunt., at p. 207), that, as the tenant by *elegit* may bring an ejectment, he can, therefore, enter without ejectment, must be taken with the qualification that he can do so only if the debtor does not oppose his entry, *per* Lord Kenyon, *Taylor* v. *Cole*, 3 T. R., at p. 295.

Return "to" and "of" the writ distinguished.—A distinction must be carefully drawn between the return "to" and the return "of" the writ, which are constantly, even in judicial decisions, confounded, but the difference between them is exactly the same as that between writing and posting a letter. The return "to" the writ is the sheriff's written answer stating what he has done in obedience to the writ, while the return "of" the writ is merely sending it back to the court whence it issued. The return to an *elegit* is engrossed on parchment and is annexed to the writ where lands are seized; it states "that by virtue of this writ to me directed I have caused to be delivered to the within named A. B. at a reasonable extent all the lands which the said C. D. hath in my bailiwick," and it is signed by the under-sheriff.

Actual Delivery in Execution.—The return of the sheriff to an *elegit* constitutes actual delivery in execution under 27 & 28 Vict. c. 112 (*Champneys* v. *Burland*, 19 W. R. 148; and, *per* James, L.J., *Ex parte Evans*, L. R. 13 Ch. D. 258), and is seizure of the land within the meaning of the Bankruptcy Act, 1883, 46 & 47 Vict. c. 52, s. 45 (*In re Hobson*, 34 W. R. 786).

Purchaser Defeated by Elegit.

It will be observed that no part of the proceedings under an *elegit* prior to registration is of such a nature that it can be discovered by the most careful inquiries made by a stranger even on the land itself. It may, therefore, happen that a purchaser from the execution debtor may complete his purchase, after the return to the writ, without the slightest knowledge of the writ having been issued, and may then be ousted by an ejectment brought by the execution creditor.

Fieri Facias.

What can be Seized.—The sheriff can sell, under a *fi. fa.*, the debtor's legal term of years, but not his equitable interest in a term (*Scott* v. *Scholey*, 8 East. 466; *Lyster* v. *Dolland*, 1 Ves. jun. 431, 3 Bro. Ch. C. 478; *Re Newcastle*, L. R. 8 Eq. 700; see *Scarlett* v. *Hanson*, 32 W. R. 310), and possibly his estate *pur autre vie* (Comb. 291). A creditor who has issued a *fi. fa.* has a lien on his debtor's equitable interest in leaseholds without the aid of 1 & 2 Vict. c. 110 (*Gore* v. *Bowser*, 3 Sm. & Gif. 1; on appeal, 24 L. J. Ch. 440).

Proceedings under Fi. Fa.—It is said to be the practice to seize the lease itself, but this is not necessary, and the sheriff may sell without entry on the land (*Coleman* v. *Rawlinson*, 1 F. & F. 330, explained in *Harley* v. *Harley*, 11 Ir. Ch. Rep. 451). But, query, what does seizing the lease mean? See as to sales by the sheriff, *Palmer's case* (4 Rep. 74a). The sheriff cannot turn out the person in possession for the purpose of giving possession to the purchaser, who is put to his ejectment (*The King* v. *Deane*, 2 Show. 85; *Taylor* v. *Cole*, 3 T. R. 292).

From what Time the Term is Bound.—Although, as regards the debtor himself, the term is bound from the *teste* of the writ, still, as regards third parties, it is bound from the time of the writ being delivered to the sheriff (29 Car. 2, c. 3, s. 16; *Smallcomb* v. *Cross*, 2 Lord Raym., at p. 252; *Hutchinson* v. *Johnston*, 1 T. R. 729; *Guest* v. *Cowbridge Railway Co.*, L. R. 6 Eq., at p. 623), except against a trustee in bankruptcy (*Ex parte Williams*, L. R. 7 Ch. 314; see the Bankruptcy Act, 1869, s. 12); but, till the assignment by the sheriff, the property is not divested out of the debtor (*Doe d. Hughes* v. *Jones*, 9 M. & W. 372; *Playfair* v. *Musgrove*, 14 M. & W. 239), who can sell subject to the rights of the execution creditor (*Payne* v. *Drew*, 4 East. 523, and the cases there cited; *Samuel* v. *Duke*, 3 M. & W. 622; *Doe d. Hughes* v. *Jones*, 9 M. & W. 372; *Playfair* v. *Musgrove*, 14 M. & W. 239). The sheriff can sell as against a person who agreed, prior to the issue of the writ, to purchase the term (*Sparrow* v. *Bristol*, 1 Marsh. 10).

Possession of Sheriff.—Where the sheriff is in possession under a writ of *fi. fa.*, his possession enures for the benefit of all other writs, whether of *fi. fa.* or *elegit*, which are lodged with him while he remains in possession; it follows that an execution creditor who lodges his writ of *elegit* while the sheriff remains in possession becomes a secured creditor within the meaning of the Bankruptcy Act, 1869, from the time of lodging his writ (*Ex parte Shaw*, W. N., 1884, p. 60).

Purchaser defeated by Fi. Fa.—As before pointed out, the debtors term is bound, as regards third parties, from the time when the writ is delivered to the sheriff; this may be done immediately before completion of a purchase, a fact of which the purchaser may be ignorant, the result being that he may be ousted by a purchaser from the sheriff and lose his money.

SERVICE OF NOTICE FOR ATTACHMENT.

III.

We have considered the respective modes in which an attachment or committal was formerly obtainable, and it would seem that R. S. C., 1883, ord. 44, r. 2, is ultimately fashioned on the old chancery procedure, as above explained, relating to committal, and that the true interpretation of the existing rule requires personal service of notice on the party sought to be attached, unless, indeed, a special order dispensing with such service has been made as prescribed by ord. 67, r. 6. We are thus led to the conclusion that, without express order of the court or judge, service on a solicitor of notice to attach his client is insufficient, and that the law is erroneously laid down by Jessel, M.R., in *Browning* v. *Sabin* (*ubi sup.*), and correctly by Bacon, V.C., in *Mann* v. *Perry* (*ubi sup.*). No doubt, *Browning* v. *Sabin* has been repeatedly followed, but the case, so far as we are aware, has been adopted without any real argument. Thus, in *Joy* v. *Hadley* (L. R. 22 Ch. D.), Fry, J., allowed the writ to issue on service of the notice to attach on defendant's solicitor, but, in that case, defendant neither himself appeared nor was represented by counsel. Again, in *Richards* v. *Kitchen* (25 W. R. 602, W. N., 1877, p. 128), Bacon, V.C., himself held that service of the notice on defendant's solicitor was sufficient; but there the defendant could not be found, and that was a special circumstance upon which the court might fairly make a special order. In *Young* v. *Young* (26 Solicitors' Journal, 404 (1882)), where the defendant had not appeared and had been guilty of contempt in breach of an order personally served on him, Fry, J., said he would not decide that ord. 19, r. 6, R. S. C., 1875 (corresponding to ord. 19, r. 10, R. S. C., 1883), did not apply to such a case so as to render a filed copy of the notice to attach good service, though he thought it doubtful whether it did, but he gave plaintiff leave to issue notice of motion by leaving a copy at each of defendant's addresses, and also filing a copy with the proper officer of the court.

A further proof that service of notice to attach on a party's solicitor is insufficient may be derived from ord. 31, r. 22. That rule provides that service of an order for interrogatories, or discovery, or inspection made against any party or his solicitor, shall be sufficient service to found an application for disobedience to the order. This rule is quite superfluous if service of an order on a solicitor is, in general, service throughout on the party. In fact, ord. 31, r. 22, "is an exception from the general rule requiring personal service" (*Hampden* v. *Wallis*, L. R. 26 Ch. D. 751, *per* Cotton, L.J.). Now, so far as service goes, orders and notices are put on the same footing by ord. 67, r. 2. If, therefore, service of an order on a solicitor be not equivalent to service on the client, there appears to be no reason why such service of a notice should be so equivalent.

In *Howarth* v. *Howarth* (34 W. R. 633, L. R. 11 P. D. 95) the Court of Appeal seems to have accepted the ruling of Bacon, V.C., in *Mann* v. *Perry* (*ubi sup.*) as the true exposition of the law. In that case an order was made, on the 30th of March, 1886, that the respondent in a divorce suit should, within seven days execute a deed securing to the respondent a sum of £9,100; and, on the 6th of April, the petitioner's solicitor, being unable to serve this order personally, obtained an order dispensing with personal service, and directing substituted service on the respondent's solicitors in the country and their London agents. Substituted service having been thus effected, and the deed being still unexecuted, notice of motion for an attachment against the respondent was, on the 29th of April, served on the London agents. The day

before the hearing of the motion the petitioner's solicitors delivered a letter, addressed by them to the London agents of the respondent's solicitors, giving them notice that on the motion they should "ask the court either for an attachment or, in the alternative, for an order directing that the deed referred to in the order of the 30th of March might be executed by some person appointed by the court for that purpose." The President having on the motion made an order that one of the registrars of the court should execute the deed on behalf of the respondent, in accordance with section 14 of the Judicature Act, 1884, it was objected for the respondent that the order was bad, on the ground that the notice of motion had not been served personally, as is necessary in the absence of special leave to the contrary. The Court of Appeal (Cotton, Lindley, and Lopes, L.JJ.) held that, since personal service of the notice of motion to attach could not be effected, and there had been due service of the original order, upon disobedience to which the attachment was based, substituted service of the notice was sufficient. Speaking of *Mann* v. *Perry* (*ubi sup.*), Cotton, L.J., says:—"This last case, however, lays down the true principle that, where there is no difficulty about personal service of a motion to attach, the court may insist on such service. But where there is a difficulty in effecting personal service, and the original order has been personally served, then it would be wrong for the court to refuse to act on proof of service in the ordinary form on the party's solicitor. It is a very different matter when the attachment is asked against someone who is not a party to the action; there the service must be personal, as he has no solicitor upon the record" (34 W. R. 634, L. R. 11 P. D. 99).

We may add that the appearance of a party to object to want of proper service is no waiver of such service (*Biddulph* v. *Gray*, 5 Dowl. 406), although Bacon, V.C., seems to have held otherwise in *Harvey* v. *Hall* (W. N., 1870, p. 227). We apprehend, however, that a party who merely appears to object does not waive anything; on the other hand, consent to an adjournment or otherwise does operate as a waiver, and precludes any subsequent objection to due service (*Ex parte Alcock*, L. R. 1 C. P. D. 68; *Cartwright* v. *Blackworth*, 1 Dowl. 489).

CORRESPONDENCE.

CAN BILLS OF SALE BE MADE BY DEED?

[*To the Editor of the Solicitors' Journal.*]

Sir,—I observe that judgment has been reserved in two very important cases on the much-vexed Bills of Sale Act of 1882, and the point, so far as I can gather, is whether a grantee under the statutory form of bill of sale has any power of sale or of seizure under it, and reference has been made to the Conveyancing Act, 1881, as shewing that a mortgagee under a *deed* has a power to sell, and other powers which were before 1882 inserted in well-drawn mortgages.

Now the statutory form of bill of sale does not appear to be a deed. A deed is a writing sealed and *delivered*. A memorial is not a deed, and the statutory attestation of the statutory form of bill of sale is "signed and sealed by the said A. B. in the presence of me E. F."

The dates of the legislation are important. The Conveyancing Act was passed in 1881, and came into operation on the 1st of January, 1882, and the Bills of Sale Act of 1882 was passed in August, and came into operation on the 1st of November, 1882. It has been already decided that nothing is to be added to or substracted from the form and if you cannot make your transaction by any procrustean process fit the form, then you cannot validly transact the business (see your reports *passim*). Now how can you by possibility add to the form "delivery"? The Legislature knew what a deed was, and they cannot be presumed to have been (as a member of the Court of Appeal actually was) ignorant of the provisions of the Conveyancing Act, a knowledge of which is essential for any articled clerk who has to pass the intermediate. What the Legislature therefore did was to enact a statutory form which should not be a deed, as the ignorant layman who is exposed to the teeth of the harpies would not have known what a deed effected; and, as you have recently shewn, "*traditio facit chartam loqui*," the essential constituent of a deed is wanting.

It is therefore clear—in fact as clear as *Ex parte Stanford*, *Re Barber*, was to the full court—that, if a bill of sale is made by deed, it is not in the form of the schedule and is therefore bad, and in examining your witness to support a bill of sale, he must be coached into saying, "I saw A. B. sign and seal" and not add "and as his Act and deed deliver." To corroborate this form of affidavit says that the deponent saw the grantor duly execute the said bill of sale. Well a man executes a will and that has not been sealed (except by novelists) since the 1st of January, 1838. I think, therefore, with all submission, that the reserved judgments ought to be shortly to this effect:—All bills of sale since the 1st of November, 1882, made by deed are void. This being so, the grantee has no power of sale, and in fact he only possesses, with regard to the property comprised in the schedule, contractual rights which it is not necessary for us to define. This notwithstanding the document in the schedule commences "This indenture."

The state of the law will then be so very bad that the Legislature will be obliged to step in.

I trust you will allow this to appear in your columns, so that I may be enlightened by the view of your learned correspondents.

London, Aug. 20. E. T. H.

[Our acute correspondent's suggestion is an excellent satire on the words in which the Bills of Sale Act, 1882, is drafted; but (although it will be seen that there is much to be said in favour of his view) we do not think that the singular slip which he points out in the attestation clause to the statutory form is sufficient to raise an inference that the bill of sale is not to be by deed. We think the courts would say, on the contrary, that the use of the words "This indenture," at the commencement of the form, and the requirement of sealing, sufficiently indicate that the bill of sale *must* be by deed.—ED. *S. J.*]

CASES OF THE WEEK.

CASES BEFORE THE VACATION JUDGE.

FASS *v.* GUNTER—Stirling, J., 1st September.

EASEMENT—LIGHT AND AIR—DEROGATING FROM GRANT—SETTLED LAND ACT, 1882 (45 & 46 VICT. c. 38), s. 2, SUB-SECTION 3; ss. 3, 6, 20, 50, 53, 59.

In this case a question arose as to the effect of the Settled Land Act, 1882, upon an easement, where the lessor, subsequent to the lease, granted, as tenant for life under the Settled Land Act, 1882, a building lease of the adjoining premises. On the 20th of July, 1880, the defendant, Colonel Gunter, the owner in fee, demised No. 23, Courtfield-gardens, South Kensington, to Wm. Radford, together with all ways, rights, and appurtenances, for ninety-nine years as from the 25th of March, 1875. On the 27th of March, 1883, Radford leased the house and premises to the plaintiff, Adolph Fass, for twenty-one years, from the 25th of December, 1882, reserving power to the plaintiff to put an end to the lease at the expiration of seven or fourteen years. By his will, made the 31st of July, 1846, Robert Gunter devised certain property, including Earl's Court House, at the back of No. 23, Courtfield-gardens, to trustees upon certain trusts (which were fulfilled), and then to Colonel Gunter, as tenant for life, with remainders over. On the 16th of October, 1852, the testator died, and his will was proved on the 1st of December, 1852. On the 19th of July, 1862, by an order of the Court of Chancery, under the Leases and Sales of Settled Estates Act, 1856, the trustees obtained power to lease Earl's Court House, with the consent of Colonel Gunter, and in 1865 a lease of twenty-one years was granted to Burn & Hill, as from the 24th of June 1864, which lease expired in 1885. On the 23rd of March, 1875, the building agreement as to 23, Courtfield-gardens was entered into. On the 21st of January, 1886, a building agreement was entered into between the defendant, Col. Gunter, as tenant for life under the Settled Land Act, 1882, and James Whitaker, as to the premises known as Earl's Court House. The defendant Whitaker then began to erect at a distance of from 10 ft. 8 in., to 13 ft. 8 in., from the back of No. 23, Courtfield-gardens, new houses called Barkston-gardens, 53 ft. in height. This was a motion for an injunction. It was contended on behalf of the plaintiff that Col. Gunter, as lessor, could not derogate from his own grant: *Leech* v. *Schweder* (L. R. 9 Ch. 463). He could not, before the Settled Land Act, 1882, block out the light, and how did the Act enable him to do so now? Section 53 did not affect persons outside the settlement. Section 50 was to operate without prejudice to the rights of an assignee for value. The plaintiff was an assignee for value in possession of the settled land or part thereof, and his consent was necessary. *In re Sebright's Estate* (W. N. 1886, p. 159). An easement was settled land within sub-section 3 of section 2. For the defendants it was argued that section 53 of the Settled Land Act, 1882, constituted the tenant for life trustee for the whole estate, and the court would not interfere because he happened to have a beneficial interest. As to the concurrence of the assignee, under sub-section 1 of section 50, the powers were exercisable by the tenant for life after and notwithstanding any assignment. Section 20 gave the tenant for life, in the matter of leasing, power to override the rights of the assignee. It always was intended to build on the site of Earl's Court House, and the plaintiff must have known it; the lease had only three years to run, and he was entitled to damages if anything, and not to an injunction: *Holland* v. *Worley* (26 Ch. D. 584). The other cases referred to were *Potts* v. *Smith* (L. R. 6 Eq. 311); *Booth* v. *Alcock* (L. R. 8 Ch. 663); *Hall* v. *Green* (1 H. & C. 676). STIRLING, J., said that the facts were simple, and practically undisputed. The question was one of law—namely, whethe

the plaintiff could restrain the defendants from doing whatthey proposed. It was a question of legal right. It was not a question of ancient lights, as the house was a modern one. The title of the plaintiff rested on a grant, which the plaintiff alleged was made by Gunter to Radford, and which passed from Radford to the plaintiff on the principle, that a grantor cannot derogate from his own grant. As to the construction of the lease, it was a demise of 23, Courtfield-gardens, with all rights, ways, and appurtenances. The defendant was then tenant for life of the adjoining property. *Booth* v. *Alcock* laid down the law as to such a grant. That law was applicable here, and upon the construction of the lease he came to the conclusion that there was a grant of lights so long as Gunter's interest continued. It was said that the surrounding circumstances qualified the grant, but that contention was of no avail to the defendant. It was said that Radford did not bargain for this grant, but he granted the right to the plaintiff, and the plaintiff was not a party to the prior negotiations. It was said that it was intended that the land at the back should be built upon, but that was not mentioned in the lease, which did not show any reservation on the part of the defendant of a right to build. It was said that at the date of the lease to Radford, the property at the back was the subject of a lease under the Settled Estates Act, 1856. The easement was not inconsistent with that lease, being a grant of light over the property as it stood. It was not contended that the easement did not pass The plaintiff had a right as long as the defendant's interest continued. The defendant's interest was for life, and might have been put an end to if there had been provided powers under the will. The purchaser would, upon the power being exercised, have taken free from the uses under the will. The interest as an easement would then have come to an end. Powers of building might have been given to a lessee, who would have taken under a power overriding the interest of the grantor, and would have taken free from the easement. No such power was contained in the will; what was done was done under the powers of the Settled Land Act, 1882. As to the Settled Land Act, 1882, the intention of the Legislature was not so clear as he could have wished. He had come to a conclusion which he should not consider himself bound by at the trial, if it should take place before him. Under section 2 of the Act, the will of Robert Gunter was "the settlement"; and under subsection 3 of the same section the land devised by the will was "the settled land." Under section 3, the tenant for life might sell, and under section 6 he might lease. Section 20 provided that a lease might be made to override all the estates and interests subsisting or to arise under the settlement, except easements otherwise binding on the tenant for life or his successors. He read those words as overriding any easements except such as were binding on the successors of the tenant for life. Assuming that the tenant for life was an assignee for value, his consent was not required unless he was in possession of the settled land. Was the plaintiff in possession of it? The settled land was the fee simple devised by Robert Gunter. Taking a literal construction of section 2, he could not consider a person who had an easement as a person in possession of settled land, in the absence of a clause in the Act to that effect. The defendant, therefore, was not bound to obtain the consent of the plaintiff in granting a lease, but had power to grant a lease overriding the plaintiff's interest. The plaintiff's motion must be dismissed.—COUNSEL, *Millar*, Q.C., and *H. T. Eve*; *Marten*, Q.C., and *Butcher*. SOLICITORS, *Valpy, Chaplin, & Peckham*; *J. L. Tomlin*.

NEW ORDERS, &c.

THE BANKRUPTCY ACT. 1883.

SCALE OF SOLICITORS' COSTS.

NOTE.—This scale of costs shall take effect on the 24th of October, 1886, when it will be incorporated in the Consolidated Bankruptcy Rules, 1886, coming into operation on that day.

SCALE I.—PETITIONING DEBTOR'S SOLICITOR'S COSTS.

1. *In Summary Cases under Section* 121.

(*a*.) Where the assets are certified as not likely to realise £100:—

	£	s.	d.
Instructions for petition, search for prior petition, drawing and attesting petition, attending presentation and hearing thereof, attending Official Receiver with deposit, on giving him all necessary information after order made, and upon preliminary examination of debtor, attending public examination, drawing bill of costs, obtaining appointment to tax, and copy notice of and attendance at taxation (exclusive of court fees and other proper disbursements)	3	0	0
Preparing order of adjudication on application of debtor under Rule 155	0	10	0

(*b*.) Where the assets are certified as likely to realise more than £100, but not to exceed £200:—

Instructions for petition, search for prior petition, drawing and attesting petition, attending presentation and hearing thereof, attending Official Receiver with deposit, on giving him all necessary information after order made, and upon preliminary examination of debtor, attending public examination, drawing bill of costs, obtaining appointment to tax, and copy notice of and attendance at taxation (exclusive of court fees and other proper disbursements)	4	0	0
Preparing order of adjudication on application of debtor under Rule 155	0	13	4

The costs under these two heads (*a*) and (*b*) will not be liable to reduction under Rule 103.

(*c*.) Where the assets are certified as likely to realise more than £200, but not to exceed £300, three-fifths of the following charges in Scale I., in accordance with the provisions of Rule 103, shall be allowed.

2. *In Non-Summary Cases.*

Instructions for petition:—

Where the assets are certified—

As not likely to realise £500	3	3	0
As likely to exceed £500, but not to exceed £1,000	4	4	0
" £1,000, " £2,000	5	5	0
" £2,000, " £3,000	6	6	0
" £3,000, " £4,000	7	7	0
" £4,000, " £5,000	8	8	0
" £5,000, " £7,500	9	9	0
" £7,500, " £10,000	10	10	0

" £10,000, then the fee shall be increased by one guinea for every additional £2,500 or fraction of £2,500 beyond the first £10,000.

A certificate of the Official Receiver as to the value which the assets are likely to realise shall be produced to the Taxing Officer, and the allowance for instructions for petition made in accordance therewith.

If the assets realise more than the amount certified by the Official Receiver, the fees may be calculated accordingly and the additional percentage shall be recoverable out of any assets available after payment of all costs, charges and fees, if claimed in writing before the assets have been distributed by the trustee, and if the assets realise less than the amount so certified the excess of percentage shall be disallowed, and if paid shall be repaid to the trustee.

In cases where a composition is accepted and confirmed by the Court the value of the assets shall be taken at the amount payable to the trustee or otherwise required for the purposes of composition.

Search for prior petition	0	6	8
Drawing and attesting petition	0	13	4
Attending Official Receiver with deposit	0	6	8
Attending presentation and hearing of petition	0	10	0
Drawing receiving order and copy and attending passing	0	10	0
Preparing order of adjudication on application by debtor under Rule 155	1	0	0
Attending Official Receiver on receiving order being made, and giving him all necessary information	0	13	4
Letters, messengers, &c.	0	6	0

3. *Debtor's Solicitor's Costs on consenting to a Receiving Order on Creditor's Petition.*

Instructions for and drawing consent to receiving order (if a receiving order is made by consent within five days after service of petition):—

Where the assets are certified—

As not likely to realise £500	1	1	0
As likely to exceed £500, but not to exceed £1,000	1	11	6
" £1,000, " £2,500	2	2	0
" £2,500,	3	3	0
Preparing order of adjudication on application by debtor under Rule 155	1	0	0
Attending Official Receiver on receiving order being made, and giving him all necessary information	0	13	4
Letters, messengers, &c.	0	6	0

The charges under this para. shall not be allowed in cases falling under para. 1, (*a*) and (*b*).

4. *Debtor's Solicitor's Costs on filing a Declaration of Inability to Pay.*

Instructions for drawing and attesting declaration of inability to pay, including affidavit of identity of debtor (where requisite)	0	13	4
Attending filing	0	6	8

The charges under this para. shall not be allowed in cases falling under para. 1, (*a*) and (*b*), or if the debtor subsequently files his own petition.

The expense of an assignment shall not be allowed where a declaration of inability would answer the purpose.

SCALE II.—PETITIONING CREDITOR'S SOLICITOR'S BILL OF COSTS.

1. *Where the Act of Bankruptcy is non-compliance with a Bankruptcy Notice.*

Instructions for and preparing notice, and preparing request to issue	0	13	4
Attending filing	0	6	8
Notice and two fair copies	0	6	8
Attending sealing notice and copies	0	6	8
Serving of notice	0	5	0
Affidavit of service of notice (where necessary) and attending swearing	0	6	8
Attending court on hearing of notice and drawing order	0	13	4

If the debtor sets up a counter-claim or otherwise disputes the validity of the notice, all necessary charges in addition

to the foregoing shall be allowed for perusals of affidavits, affidavits in reply or procuring *viva voce* evidence, and where it is necessary to instruct counsel the usual charges for brief and counsel's fees shall be allowed.

2. Proceedings on Petition.

Instructions for petition	1	0	0
Examining particulars of petitioning creditor's account	0	6	8
If the act of bankruptcy is default made upon a bankruptcy notice issued by the solicitor to the petitioner this last charge shall not be allowed.			
When the act of bankruptcy arises under sub-sections 1 *a*, *b*, *c*, *d*, *e*, or *h* of section 4, special attendances (where necessary) to examine witnesses as to the facts they can prove shall be allowed, the charges for which, and for summoning witnesses, or for affidavits, shall be in the discretion of the Taxing Officer according to the circumstances, and where it is necessary to instruct counsel to support the petition, the usual charges for brief and counsel's fees shall be allowed.			
Search for prior petition	0	6	8
If the solicitor resides at a distance:—			
Writing agent to search for prior petition	0	3	6
Agent's writing result of search	0	3	6
Drawing bankruptcy petition	0	10	0
Engrossing, where the petition exceeds 7 folios, per folio	0	0	4
Attesting signature of each petitioning creditor, except where petitioners are in partnership	0	6	8
Where petitioning creditor is a company or corporation with seal	0	13	4
Drawing and fair copy affidavit verifying petition	0	3	4
Attending petitioner to be sworn	0	6	8
Two copies of petition for sealing, per folio	0	0	4
Preparing subpœna and serving witnesses, or arranging with witnesses for their attendance on presentation of petition when necessary	0	13	4
Payment of witnesses (*see* Scale VI.)			
The petitioning creditor shall not be regarded as a witness; he shall not be paid for loss of time, but shall be allowed his expenses of travelling and subsistence.			
Attending Official Receiver with deposit	0	6	8
The amount of deposit is to be charged in the petitioning creditor's bill of costs.			
Attending on presentation of petition and investigation of the statements therein by the Court, and for clerk	1	0	0
Attending by agent	2	0	0
Where the solicitor resides at a distance from the court his travelling expenses may be allowed, provided the total charge does not exceed costs of attendance by agent.			
Drawing order for hearing petition	0	3	4
Service of petition (*see* Scale VI.)			
Affidavit as to act of bankruptcy, including drawing and attending swearing	0	6	8
Affidavit of petitioner's debt, including drawing and attending swearing	0	6	8
Where the debtor consents to an immediate receiving order, and does not employ his own solicitor:—			
Drawing and attesting consent, including affidavit of identity (when requisite):—			
Where the assets are certified—			
As not likely to realise £500	1	1	0
As likely to exceed £500, but not to exceed £1,000	1	11	6
As likely to exceed £1,000, but not to exceed £2,500	2	2	0
As likely to exceed £2,500	3	3	0
Attending court on hearing petition	1	0	0
Attending by agent	2	0	0
Drawing receiving order and copy and attending passing	0	10	0
Attending Official Receiver after receiving order made, and giving him all necessary information	0	13	4
More than one attendance at the presentation or hearing of a bankruptcy petition shall not be allowed unless ordered and certified by the court at the time.			
Attending court where adjournment ordered	0	13	4
Attending by agent	1	0	0
Instructions for appointment of *interim* receiver	0	13	4
Drawing and copy application	0	5	0
Instructions for necessary affidavits in support, each	0	6	8
Drawing same, per folio	0	1	0
Fair copy, per folio	0	0	4
Attending deponents, each	0	6	8
Attending filing affidavits	0	6	8
Attending court on hearing application	1	0	0
Attending by agent	2	0	0
Drawing order in duplicate and attending to pass	0	6	8
Attending Official Receiver with order, paying deposit, and giving all necessary information	0	13	4
Letters, messengers, &c. (in discretion of Taxing Officer).			

3. Costs for Substituted Service where the Debtor keeps out of the way to avoid Service.

Preparing and making application to the Court for substituted service, including previous attendances to serve which have been without effect because the debtor was keeping out of the way and could not be personally served (inclusive charge)	0	15	0
Drawing affidavit of facts, shewing that due pains had been taken to effect personal service, per folio	0	1	0
Fair copy of affidavit, per folio	0	0	4
Attending to swear and file affidavit and to obtain order for substituted service and drawing up order	0	13	4

4. Where the Debtor disputes the Statements in the Petition.

Attending petitioner where the debtor has served notice of disputing the statements in the petition	0	6	8
Special attendances shall be allowed to examine witnesses as to the facts they can prove, the charges for which, and for summoning witnesses, shall be in the discretion of the Taxing Officer, according to the circumstances; and where it is necessary to instruct counsel to support the petition, the usual charges for brief and counsel's fees shall be allowed.			
Attending court when the receiving order is made	1	0	0
Attending by agent	2	0	0

5. Where the Debtor is required by the Court to enter into a Bond.

Attending to make inquiries as to sufficiency of sureties	0	13	4
This charge shall be subject to increase, according to the distance of the sureties' residence; and, where necessary, agency charges for making such inquiries shall be allowed.			
Drawing exceptions to sureties	0	3	4
Service thereof on debtor's solicitor	0	5	0
Attending court when sureties allowed or disallowed	0	13	4
The costs of the affidavits in opposition to the allowance of the bond for want of sufficiency of sureties shall be the same as of other special affidavits.			

III.—Special Costs.

Instructions for appointment of a special manager	0	13	4
Drawing and copy application	0	5	0
Instructions for affidavits in support, not exceeding three in number, unless the Taxing Officer considers that further affidavits were necessary, each	0	6	8
Drawing same, per folio	0	1	0
Fair copy, per folio	0	0	4
Attendances on deponents, each	0	6	8
Attending Official Receiver to lodge papers, and to obtain appointment to hear application	0	6	8
Attending Official Receiver on hearing application	0	13	4
Proper charges for further attendances on creditors and other work necessarily done by a solicitor in connection with the appointment of a special manager shall be allowed, but no costs shall be allowed on an unsuccessful application unless the Official Receiver shall certify that the costs of the application should be allowed.			
Attendance at public examination where the Court thinks such attendance necessary	1	1	0
The following costs subsequent to receiving order may also be allowed upon a certificate in writing of the Official Receiver that the attendance was necessary in the interest of the estate, and shall not be exceeded unless specially authorised by him:—			
Attending Official Receiver upon preliminary examination of debtor	0	13	4
Attendance at first meeting of creditors	0	13	4
The petitioning creditor's solicitor may be allowed all proper charges at the rate specified in the scale for all work necessarily or usefully done in the interests of the creditors generally for the protection or benefit of the estate between the presentation of the petition and the date of the receiving order, if the Official Receiver shall certify that the work done was necessary or useful. Such certificate may be given by the signature of the Official Receiver to a memorandum containing such certificate at the foot of the bill of costs.			
In exceptional cases where the petitioning creditor's solicitor has prior to the presentation of the petition rendered special services in the interests of the creditors generally, and such services shall have assisted to preserve or increase the assets, or otherwise been of substantial advantage to the estate, the Taxing Officer may, upon a certificate signed by the Official Receiver to that effect, which may be given by a memorandum containing such certificate at the foot of the bill of costs, allow all proper charges for such services at the rate specified in the scale.			
Where the Official Receiver employs the petitioning creditor's solicitor or the debtor's or other solicitor to take any steps for the protection or benefit of the estate or in other matters not included in the foregoing scale, the costs of work done under such employment shall, in the absence of any special agreement with the Official Receiver, be subject to taxation under Scale VI.			

IV.—Taxation of Petitioner's Costs.

Drawing bill of costs and copy, and notice of and attendance at taxation:—			
On debtor's petition	0	15	0

On creditor's petition (when costs do not exceed £10)	0	15	0
With an additional allowance where costs exceed £10 of 5 per cent. on the amount of the bill, provided that the total fee shall not exceed £5.			

No charges, except those included under the preceding scales, shall be allowed in the case of a debtor's petition or unopposed creditor's petition unless in the latter case the Taxing Officer considers that for special reasons additional items may be allowed.

Where the petition is opposed, costs may be allowed in addition for necessary matters, not provided for under the preceding scales or under Scale VI.; such allowances shall be made in conformity with that scale as nearly as may be, or with the scales of costs in the Supreme Court, according to the nature of the proceeding.

V.—Debtor's Solicitor's Costs.

1. *Where the Court allows Costs to the Debtor on a Bankruptcy Notice being set aside.*

Instructions to apply to set aside bankruptcy notice	0	6	8
Perusing and considering bankruptcy notice	0	5	0
Instructions for affidavit of counter-claim	0	6	8
Drawing same, per folio	0	1	0
Fair copy, per folio	0	0	4
Attending to file, and drawing application for appointment to hear and notice	0	6	8
Costs of further affidavits, or of procuring *viva voce* evidence, and of other incidental charges properly incurred, including where necessary usual charges for brief and fees to counsel, shall be allowed in the discretion of the Taxing Officer.			
Attending court on application:—			
If heard	1	1	0
If adjourned	0	10	6
Drawing order and copy, and attending to pass	0	6	8
Letters, messengers, &c. (in discretion of Taxing Officer).			
The debtor's personal expenses for travelling and loss of time shall be allowed according to the scale for witnesses.			

2. *Where the Court allows Costs to the Debtor on Dismissal of Petition.*

Attending debtor served with copy of petition and taking instructions to show cause	0	6	8
Drawing notice to show cause	0	5	0
Two fair copies for service	0	2	0
Attending filing	0	6	8
Service on creditor, including postage	0	2	6
Service on creditor's solicitor	0	2	6
Perusing and considering petition	0	6	8
Special attendances shall be allowed to examine witnesses as to the facts they can prove, the charges for which and for summoning witnesses shall be in the discretion of the Taxing Officer according to the circumstances, and where it is necessary to instruct counsel the usual charges for brief and counsel's fees shall be allowed.			
Attending court on petition:—			
If heard	1	1	0
If adjourned	0	10	6
Drawing order and copy, and attending to pass	0	6	8
Letters, messengers, &c. (in discretion of Taxing Officer).			
The debtor's personal expenses for travelling and loss of time shall be allowed according to the scale for witnesses.			

VI.—Miscellaneous and General Costs.

1. *Costs of the Day on Adjournment where no fixed amount is named in the Order.*

Attendance in court	0	13	4
Drawing order and passing	0	6	8
Attending counsel	0	6	8
Notice to witnesses, each	0	2	6
Payment to witnesses (*see* scale below).			

2. *Warrants.*

Warrant, warrant of seizure, or search warrant	0	7	0
And if more than four folios, for each folio beyond four	0	1	4

3. *Service.*

Service of petition, order, notice, or other process, each service	0	5	0
If the distance be more than two miles, 1s. per mile on such further distance, or a sum, in the discretion of the Taxing Officer, according to circumstances.			
Service by post, including postage	0	2	6
Special service under an order (in discretion of Taxing Officer).			
In cases of great distance, the service shall be by agent, unless otherwise sanctioned.			

4. *Instructions.*

For statement of facts, or special case for the opinion of the Court Judge or Registrar	0	13	4
For record for trial	0	13	4
For motion	0	6	8
For motion on appeal	0	13	4
For any proceeding or application not otherwise provided for	0	6	8
For application for directions	0	6	8
For application for substituted service	0	6	8
To appear on hearing of a matter under Rule 220	0	13	4
For special affidavits	0	6	8
For proposal for scheme of arrangement or composition	0	6	8
For case for opinion of counsel	0	6	8
For brief on hearing, trial, or determination of any petition, issue of fact, special case, or motion other than an interlocutory motion before the Court or a Judge or a Registrar of the High Court	1	1	0
For such brief and for brief on hearing of an appeal, when witnesses are to be examined or cross-examined, such fee may be allowed as the Taxing Officer shall think fit, having regard to all the circumstances of the case, and to other allowances (if any) for attendances on witnesses and procuring evidence.			
For brief on hearing of any interlocutory motion (or such further sum as the Taxing Officer may allow).	0	6	8
For brief on any other proceeding not otherwise provided for, such fee as the Taxing Officer may allow.			

5. *Drawing Documents.*

Commission or order for examination of witnesses abroad, per folio	0	1	0
Other orders where necessary, per folio	0	1	0
Proposal for scheme of arrangement or composition, per folio	0	1	0
Application for an appointment before a Judge or Registrar, and copy	0	5	0
Briefs and cases for opinion of counsel, per folio	0	1	0

6. *Perusals.*

Of notice of motion by the solicitor of the party on whom the same is served	0	6	8
Or, if exceeding 20 folios, per folio	0	0	4
Of documents (by London agent) on an appeal	1 1 0 to 2 2 0		
Of affidavits, depositions, and exhibits by the solicitor of the party against whom the same can be read, per folio	0	0	4
Of other documents where necessary, per folio	0	0	4

7. *Attendances.*

At court on application to prosecute a petition in a particular district or to transfer petition from one district to another	0	13	4
On application for directions	0	13	4
At court on application for warrant, warrant of seizure, or search warrant	0	13	4
Instructing officer as to execution of warrant, warrant of seizure, or search warrant	0	6	8
To file affidavits	0	6	8
General attendances, each	0	6	8
Long and special attendances (or more, in the discretion of the Taxing Officer).	0	13	4
At meetings of creditors (other than first meetings) or of committees of inspection when duly authorised and necessary, per hour	0	10	0

8. *Letters, Telegrams, &c.*

Writing letters, each, special	0	5	0
Ditto, common	0	3	6
Circular letters, original letter, if special	0	5	0
Ditto ditto if common	0	3	6
For each copy thereof, including addressing and despatching, not exceeding 10	0	1	0
If above 10 in number letters shall be printed, and there shall be allowed for each copy addressed and despatched in addition to printer's charges	0	0	6
Preparing and attending to despatch necessary telegrams	0	3	0

GENERAL REGULATIONS.

1. All costs, save as in this scale provided, which shall be properly incurred under the provisions of the Act or Rules, shall be allowed on the "Lower scale" in Appendix N. to the Rules of the Supreme Court, 1883.

2. In respect of business connected with sales, purchases, leases, mortgages, and other matters of conveyancing, and in respect of other business not being business transacted in court or in chambers, and not being otherwise contentious business, the solicitor's remuneration shall (in the absence of any agreement to the contrary) be regulated by the General Order under the Solicitors' Remuneration Act, 1881, for the time being in force; provided that, in cases of sales of mortgaged properties, the trustees' solicitor, if his remuneration shall be under Schedule 1 of the existing Order, shall only be entitled to percentage upon so much of the proceeds of sale as shall not be chargeable by the mortgagees' solicitor with the percentage, and such percentage shall be payable only out of the proceeds of sale.

3. All court fees and other proper disbursements shall be allowed in addition to the remuneration in this scale provided.

4. Extra allowance for length of sittings, or other increased allowances not inconsistent with this scale, may be allowed; provided that any such allowance shall have been ordered and certified by the Court at the time, or all such charges will be disallowed.

5. Vouchers shall be produced on taxation for all payments, or such payments shall be disallowed.

6. Bills of costs shall be written lengthwise on one side only, distinguishing, by insertion in separate columns, costs out of pocket from charges for work done and time expended. Dates shall be furnished to each item, but they must not be written in the margin, which shall be left clear for taxation.

7. The fees allowed for drawing any affidavit or other document shall include any copy made for the use of the solicitor, agent, or for counsel to settle.

8. No instructions for an affidavit shall be allowed when the solicitor or his clerk makes the affidavit.

9. The allowances for instructions and drawing an affidavit in answer to interrogatories and other special affidavits, and attending the deponent to be sworn, shall include all attendances on the deponent to settle and read over.

10. The fees allowed for delivery of documents, services, and notices shall not be allowed when the same solicitor is for both parties, unless it be necessary for the purpose of making an affidavit of service.

11. The fees allowed for perusals shall not apply where the same solicitor is for both parties.

12. Where the same solicitor is employed for two or more persons having the same interest, and separate papers are delivered, or other proceedings had by or for two or more such persons separately, the Taxing Officer shall consider in the taxation of such solicitor's bill of costs, either between party and party, or between solicitor and client, whether such separate papers or other proceedings were necessary or proper; and if he is of opinion that any part of the costs occasioned thereby has been unnecessarily or improperly incurred, the same shall be disallowed.

13. A folio is to comprise 72 words, every figure comprised in a column or authorised to be used, being counted as one word.

14. In special cases where counsel are not instructed to appear in court and the solicitor acts as advocate, a charge by the solicitor for the preparation of minutes of fact or evidence for his own use may be allowed, and in addition to such special fee as the Taxing Officer may think fit, having regard to the nature and importance of the case and the questions involved.

15. As to all fees or allowances which are discretionary, the same are, unless otherwise provided, to be allowed at the discretion of the Taxing Officer, who in the exercise of such discretion is to take into consideration other fees and allowances to the solicitor and counsel, if any, in respect of the work to which any such allowance applies, the nature and importance of the matter, the amount involved, the interest of the parties, the estate or persons to bear the costs, the general conduct and costs of the proceedings, and all other circumstances.

16. Any person who may be dissatisfied with the allowance or disallowance by the Taxing Officer in any bill of costs taxed by him of the whole or any part of any items, may at any time before the certificate or allocatur is signed, carry in before the Taxing Officer an objection in writing to such allowance or disallowance, specifying therein by a list, in a short and concise form, the items or parts thereof objected to, and the grounds and reasons for such objection, and may thereupon apply to the Taxing Officer to review the taxation in respect of the same.

17. Upon such application the Taxing Officer shall reconsider and review his taxation upon such objection, and he may if he shall think fit receive further evidence in respect thereof, and if so required by the solicitor or any person interested he shall state either in his certificate of taxation or allocatur, or by reference to such objection the grounds and reasons of his decision thereon and any special facts or circumstances relating thereto.

18. Any person who may be dissatisfied with the certificate or allocatur of the Taxing Officer as to any item or part of an item which may have been objected to as aforesaid, may within fourteen days from the date of the certificate or allocatur or such other time as the Court or Judge or Taxing Officer at the time he signs his certificate or allocatur may allow, apply to the Judge for an order to review the taxation as to the same item, or part of an item, and the Judge may thereupon make such order as the Judge may think just; but the certificate or allocatur of the Taxing Officer shall, subject to the provisions of the Bankruptcy Rules for the time being relating to the review of taxations at the instance of the Board of Trade where the taxation has been made by a Registrar of a County Court, be final and conclusive as to all matters which shall not have been objected to in manner aforesaid.

19. Such application shall be heard and determined by the Judge upon the evidence which shall have been brought in before the Taxing Officer, and no further evidence shall be received upon the hearing thereof unless the Judge shall otherwise direct.

20. The allowances to witnesses in Bankruptcy proceedings in the High Court shall be in accordance with those for the time being ordinarily made in other proceedings in the said Court. In the County Courts such allowances shall be in accordance with the scale for the time being in force in the County Courts.

SCALE OF ALLOWANCES TO BROKERS AND ACCOUNTANTS, &c.

The following charges to the end shall be subject to reduction by agreement with the Official Receiver or the Trustee, or to increase with the sanction of the Committee of Inspection and the Official Receiver.

1. *Broker's Allowances.*

	£	s.	d.
For inventory, only, of chattel property and one copy (not exceeding 5 folios)	0	10	6
For every additional folio beyond five, and one copy	0	1	6
For every half-hour or fraction of half-hour necessarily occupied in going to and from the premises where the inventory has to be made, if situate more than one mile from the broker's office	0	2	6

For inventory and valuation of chattel property:—

	£	s.	d.	
On the first £100	2	10	0	per cent.
On the next £400	1	5	0	,,
Above up to £10,000	1	0	0	,,
Above £10,000	0	10	0	,,

In addition, the broker shall be entitled to railway fare or cab hire actually paid, if the distance exceeds one mile, but when beyond five miles the amount shall be in the discretion of the Taxing Officer, but shall not exceed the actual expense of travelling.

2. *Auctioneer's Charges.*

For sales by private contract based on the valuation, half the above charges for inventory and valuation.

For sales by auction, including all expenses except newspaper advertisements, which require in each case to be authorised at the time by the Official Receiver or the Trustee:—

Of chattel property not exceeding:—

	£	s.	d.	
On the first £100	10	0	0	per cent.
On the next £400	5	0	0	,,
Above up to £1,000	4	0	0	,,
Above £1,000	2	10	0	,,

Of estates, freehold, leasehold, &c., including prior valuations, for determining amount of reserve bids:—

	£	s.	d.	
On the first £300	5	0	0	per cent.
On the next £1,600	2	10	0	,,
Above up to £5,000	1	5	0	,,
Above £5,000	1	0	0	,,

No higher allowance to be sanctioned without the leave of the Board of Trade.

Costs of surveys, dilapidations, and specifications in discretion of Taxing Officer	2	0	0
	to		
	5	0	0

3. *Accountant's Charges.*

Where the employment of an accountant has been duly sanctioned, and in the absence of any special arrangement with the Official Receiver or the Trustee for a smaller amount, the following charges may be allowed:—

	£	s.	d.
For preparing balance-sheet, investigating accounts, &c., principal's time, exclusively so employed, per day of seven hours, including necessary affidavit	1	1	0
	to		
	5	5	0

Or such other sum as the Court may under special circumstances order.

Chief clerk's time	0	10	6
	to		
	1	11	6
Other clerk's time, per day of seven hours	0	7	6
	to		
	0	16	0

These charges shall include stationery, except the forms used.

HERSCHELL, C.

I concur,

A. J. MUNDELLA,

President of the Board of Trade.

July 29, 1886.

GENERAL RULES MADE PURSUANT TO THE BANKRUPTCY ACT, 1883.

NOTE.—*These Rules will be incorporated in the Consolidated Bankruptcy Rules, 1886, coming into operation on the same day.*

I.—PRELIMINARY.

1. These Rules may be cited as "The Bankruptcy Rules, July, 1886." They shall come into operation on the 24th day of October, 1886.

2. In these Rules, and in the Bankruptcy Rules, 1883, unless the context otherwise requires, the following expressions shall have the meanings hereby severally assigned to them, namely:—

"Judge of the High Court" shall mean the Judge to whom bankruptcy business is for the time being assigned.

"Trustee" shall include the trustee under a composition or scheme, under which a trustee is appointed to administer a debtor's property, or manage his business.

"Taxing Officer" shall mean and include the officer of the Court whose duty it is to tax costs in bankruptcy proceedings.

II.—COURT PROCEDURE.

Transfer of Proceedings.

Rules 16, 17, and 18 of the Bankruptcy Rules, 1883, are hereby annulled, and the following Rules are substituted therefor:—

3. The Judge of the High Court may at any time, for good cause shown, order the proceedings in any matter under the Act to be transferred from a County Court to the High Court, or from the High Court to a County Court.

4. The Judge of any County Court, having jurisdiction in bankruptcy, may, at any time, for good cause shown, order the proceedings in any matter under the Act, which have been commenced or are pending in his Court, to be transferred to any other County Court.

5. When an order of transfer has been made by any Court, the Registrar of such Court shall send by post a sealed copy of the order of transfer to the Court affected by the order.

6. Where the proceedings in any matter are transferred by any Court, the Official Receiver of the Court to which such proceedings are transferred shall become the Official Receiver of the debtor's estate in place of the Official Receiver of the Court from which the proceedings are transferred.

7. An order of transfer shall be in the Form No. 1 in the Appendix to these Rules, with such variations as the case may require.

8. Where the proceedings in any matter are transferred from a Court to any other Court, the Registrar of the first Court shall send by post the records of proceedings transferred to the Registrar of the Court to which the transfer is made.

9. The Registrar of the Court to which proceedings are transferred shall give notice of the transfer in the Form No. 2 in the Appendix to these Rules to the Official Receiver of the same Court, and to the Board of Trade, as soon as he shall receive the records of proceedings from the Registrar of the Court from which the transfer is made.

Proceedings commenced in wrong Court.

10. When any bankruptcy proceeding has been commenced in a Court in which it should not have been commenced, the Judge of that Court or of the High Court may order that the proceeding shall be transferred to the Court in which the same should have been commenced, or that it be continued in the Court in which it was commenced; but, unless and until a transfer is made under these rules, the proceeding shall continue in the Court in which it was commenced.

Transfer of Jurisdiction of Court: pending Business.

11. Whenever the Lord Chancellor, by order under his hand, shall exclude any County Court from having jurisdiction in bankruptcy, or shall attach the district or any part of the district of a County Court to the High Court, or any other County Court, or shall detach the district or any part of the district of any County Court from the district and jurisdiction of the High Court, any bankruptcy business pending in the Court or district to which the order relates shall become transferred to such Court as shall be mentioned for the purpose in the order, and thereupon the rules as to transfer of proceedings shall apply to the transfer of such pending proceedings in all respects as if the proceedings had been transferred by order of a Court having power to transfer proceedings.

III.—Appropriation of Pay and Pensions.

12. Rule 73 of the Bankruptcy Rules, 1883, shall be read with the words at the end thereof, "for the purpose of his counter-signature to the order being written thereon," omitted therefrom.

IV.—Committment and Arrest.

Committal.

13. Rule 78 of the Bankruptcy Rules, 1883, is hereby annulled, and the following Rule is substituted therefor:—

Subject to the provisions of the Act and Rules, upon the filing of an application to commit, the Registrar shall fix a time and place for the Court to hear the application, notice whereof shall be personally served on the person sought to be committed, not less than three days before the day fixed for the hearing of the application. Provided that in any case in which the Court may think fit, the Court may allow substituted service of the notice by advertisement or otherwise, or shorten the length of notice to be given.

14. Where an order of committal is made against a debtor, or against a trustee, for disobeying any order of the Court, or of the Board of Trade, or of the Official Receiver, to do some particular act or thing, the Court may direct that the order of committal shall not be issued, provided that the debtor or trustee, as the case may be, complies with the previous order within a specified time.

Committal of Contumacious Debtor or Witness.

15.—(1.) If a debtor or witness examined before a Registrar refuses to answer to the satisfaction of the Registrar any question which he may allow to be put, the Registrar shall report such refusal in a summary way to the Judge, and, upon such report being made, the debtor or witness in default shall be in the same position and be dealt with in the same manner as if he had made default in answering before the Judge.

(2.) The report of the Registrar shall be in writing, but without affidavit, and shall set forth the question put, and the answer (if any) given by the debtor or witness.

(3.) The Registrar shall, before the conclusion of the examination at which the default in answering is made, name the time when and the place where the default will be reported to the Judge; and upon receiving the report the Judge may take such action thereon as he shall think fit. If the Judge is sitting at the time when the default in answering is made, such default may be reported immediately.

(4.) The report of the Registrar may be in the Form No. 30 in the Appendix to these Rules.

V.—Service of Process.

Duties of High Bailiff.

16. The second paragraph of Rule 81 of the Bankruptcy Rules, 1883, is hereby annulled, and the following is substituted therefor:—

But this rule shall not be construed to require any order, summons, petition, or notice to be served by a bailiff or officer of the Court, which is not specially by the Act or Rules required to be so served, unless the Court shall in any particular proceeding, by order specially so direct.

VI.—Costs.

Generally.

17. Rule 100 of the Bankruptcy Rules, 1883, is hereby annulled, and the following Rule is substituted therefor:—

Subject to these rules, all costs relating to proceedings in Court shall be in the discretion of the Court, and shall be paid by such persons as the Court shall order: Provided that, where any issue is tried by a Jury, the costs shall follow the event, unless, upon application made at the trial, for good cause shown, the Judge before whom such issue is tried shall otherwise order.

Taxation generally.

18. Before taxing the bill or charges of any solicitor, manager, accountant, auctioneer, broker, or other person employed by an Official Receiver or trustee, the Taxing Officer shall require a certificate in writing, signed by the Official Receiver or trustee, as the case may be, to be produced to him, setting forth whether any, and if so what, special terms of remuneration have been agreed to, and in the case of the bill of costs of a solicitor, a copy of the resolution or other authority sanctioning the employment.

19. In any case in which, pursuant to section 46 (1) of the Act, a sheriff is required to deliver goods to an Official Receiver or trustee, such sheriff shall, without delay, bring in his bill of costs for taxation, which shall be taxed by the Taxing Officer of the Court having jurisdiction in the bankruptcy; and unless such bill of costs is brought in for taxation within one month from the date when the sheriff makes such delivery, the Official Receiver or trustee may decline to pay the same.

20. If the Official Receiver or trustee shall, in writing, require any costs which a sheriff has deducted under section 46 (2) of the Act to be taxed, the sheriff shall, within seven days from the date of the request, bring in such costs for taxation, which shall be taxed by the Taxing Officer of the Court having jurisdiction in the bankruptcy; and any amount disallowed on such taxation shall forthwith be paid over by the sheriff to the Official Receiver or trustee as the case may require.

21. Every person whose bill or charges is or are to be taxed shall in all cases give not less than seven days' notice of the appointment to tax the same to the Official Receiver and to the trustee (if any).

22. The bill or charges, if incurred prior to the appointment of a trustee, shall be lodged with the Official Receiver, and if incurred after the appointment of a trustee, shall be lodged with the trustee, three clear days before the application for the appointment to tax the same is made. The Official Receiver or the trustee, as the case may be, shall forthwith, on receiving notice of taxation, lodge such bill or charges with the proper Taxing Officer.

23. Every person whose bill or charges is or are to be taxed shall, on application either of the Official Receiver or the trustee, furnish a copy of his bill or charges so to be taxed, on payment at the rate of 4*d.* per folio of 72 words, which payment may be charged to the estate. The Official Receiver shall call the attention of the trustee to any items which, in his opinion, ought to be disallowed or reduced.

24. Every solicitor's bill of costs and charges payable out of the estate of a debtor shall distinguish, by insertion in separate columns, costs out of pocket from charges for work done and time expended.

25. Where any party to, or person affected by, any proceeding desires to make an application for an order that he be allowed his costs, or any part of them, incident to such proceeding, and such application is not made at the time of the proceeding—

(1.) Such party or person shall serve notice of his intended application on the Official Receiver, and, if a trustee has been appointed, on the trustee:

(2.) The Official Receiver and trustee may appear on such application and object thereto:

(3.) No costs of or incident to such application shall be allowed to the applicant, unless the Court is satisfied that the application could not have been made at the time of the proceeding.

Review of Taxation.

26. Rule 104 of the Bankruptcy Rules, 1883, is hereby annulled, and the following Rule is substituted therefor:—

(1.) Where any bill of costs, charges, fees, or disbursements of any solicitor, manager, accountant, auctioneer, broker, or other person has been taxed by a Registrar of a County Court, the Board of Trade may require the taxation to be reviewed by a Bankruptcy Taxing Master of the High Court.

(2.) In any case in which the Board of Trade require such a review of taxation as is above mentioned they shall give notice to the person whose bill has been taxed, and shall apply to the Taxing Master of the High Court to appoint a time for the review of such taxation, and thereupon the Taxing Master of the High Court shall appoint a time for the review of, and shall review, such taxation. The Board of Trade shall give to the person whose bill of costs is to be reviewed notice of the time appointed for the review.

(3.) Where any such review of taxation as is above mentioned is required to be made by a Bankruptcy Taxing Master of the High Court, the Registrar of the County Court shall (if required by the Taxing Master) forward to the said Taxing Master the bill which is required to be reviewed, and also the file of the proceedings.

(4.) The Board of Trade may appear upon the review of the taxation, and if upon the review of the taxation the bill is allowed at a lower sum than the sum allowed by the Registrar of the County Court, the amount disallowed shall (if the bill has been paid) be repaid to the Official Receiver, or the trustee, or other person who may have originally paid the same. The certificate of the Taxing Master shall in every case of a

review by him under this Rule be a sufficient authority to entitle the person to whom the amount disallowed ought to be repaid to demand such amount from the person liable to repay the same.

(5.) There shall be allowed to the person whose bill is reviewed such costs of and incidental to his appearance on the review as the Bankruptcy Taxing Master of the High Court shall think proper, and such costs shall be paid to such person out of the estate: Provided that the costs of the attendance of a principal shall not be allowed if in the opinion of the Taxing Master he could have been sufficiently represented by his London agent.

VII.—Costs payable out of the Estate.

Priority.

27. Rule 105 of the Bankruptcy Rules, 1883, is hereby annulled, and the following Rule is substituted therefor:—

The assets in every matter remaining, after payment of the actual expenses incurred in realising any of the assets of the debtor, shall, subject to any order of the Court, be liable to the payment of the following costs and expenses, which shall be paid in the following order of priority, namely:—

First. The actual expenses incurred by the Official Receiver in protecting the property or assets of the debtor, or any part thereof, and any expenses or outlay incurred by him or by his authority in carrying on the business of the debtor:

Next. The fees, percentages, and charges payable under Table D. of the Scale of Fees; and any other fees payable to, or costs, charges, and expenses incurred or authorised by, the Official Receiver:

" The fee which, under the Scale of Fees for the time being in force, is required to be affixed to the copy of the Cash Book when forwarded for audit.

" The remuneration of the special manager (if any):

" The taxed costs of the petitioner:

" The remuneration and charges of the person (if any) appointed to assist the debtor in the preparation of his statement of affairs:

" Any allowance made to the debtor by the Official Receiver:

" The taxed charges of any shorthand writer appointed by the Court:

" The trustee's necessary disbursements other than actual expenses of realisation heretofore provided for:

" The costs of any person properly employed by the trustee with the sanction of the committee of inspection:

" Any allowance made to the debtor by the trustee with the sanction of the committee of inspection:

" The remuneration of the trustee:

" The actual out of pocket expenses necessarily incurred by the committee of inspection, subject to the approval of the Board of Trade:

Disallowance of Costs of unnecessary Petition.

28. In any case in which, after a bankruptcy petition has been presented by a creditor against a debtor, and before the hearing of such petition, the debtor files a petition, and a receiving order is made on the petition of the debtor, unless in the opinion of the Court the estate has benefited thereby, or there are special circumstances which make it just that such costs should be allowed, no costs shall be allowed to the debtor or his solicitor out of the estate.

Apportionment of Costs in case of Partnership.

29. In the case of a bankruptcy petition against a partnership, the costs payable out of the estates incurred up to and inclusive of the receiving order shall be apportioned between the joint and separate estates in such proportions as the Official Receiver may in his discretion determine.

30. Rule 107 of the Bankruptcy Rules, 1883, is hereby annulled, and the following Rule is substituted therefor:—

(1.) Where the joint estate of any co-debtors is insufficient to defray any costs or charges properly incurred prior to the appointment of the trustee, the Official Receiver may pay or direct the trustee to pay such costs or charges out of the separate estates of such co-debtors, or one or more of them, in such proportions as in his discretion the Official Receiver may think fit. The Official Receiver may also, as in his discretion he may think fit, pay or direct the trustee to pay any costs or charges properly incurred, prior to the appointment of the trustee, for any separate estate out of the joint estate or out of any other separate estate, and any part of the costs or charges of the joint estate incurred prior to the appointment of the trustee which affects any separate estate out of that separate estate.

(2.) Where the joint estate of any co-debtors is insufficient to defray any costs or charges properly incurred after the appointment of the trustee, the trustee, with such consent as is herein-after mentioned, may pay such costs or charges out of the separate estates of such co-debtors, or one or more of them. The trustee, with the said consent, may also pay any costs or charges properly incurred for any separate estate, after his appointment, out of the joint estate, and any part of the costs or charges of the joint estate incurred after his appointment which affects any separate estate out of that separate estate. No payment under this rule shall be made out of a separate estate or joint estate by a trustee without the consent of the committee of inspection of the estate out of which the payment is intended to be made, or, if such committee withhold or refuse their consent, without an order of the Court.

VIII.—Lunatics.

31. Where any debtor or creditor is a lunatic not so found by inquisition, the Court may appoint such person as it shall think fit to do any act required by the Act or Rules to be done by such debtor or creditor.

IX.—Bankruptcy Petition.

Description and Address of Debtor.

32.—(1.) Where a petition is presented by a debtor he shall, besides inserting therein his name and description, and his address at the date when the petition is presented, further describe himself as lately residing or carrying on business at the address or several addresses, as the case may be, at which he has incurred debts and liabilities which at the date of the petition remain unpaid or unsatisfied.

(2.) Where a petition is presented against a debtor who resides or carries on business at an address other than the address at which the debtor was residing or carrying on business at the time of contracting the debt or liability in respect of which the petition is presented, the petitioning creditor, in addition to stating in the petition the description of the debtor, as of his then present address and description, shall, in the petition, describe the debtor as lately residing or carrying on business at the address at which he was residing or carrying on business when the debt or liability was incurred.

Deposit.

33. Rule 128 of the Bankruptcy Rules, 1883, shall be read with the following words added at the end of the first paragraph thereof:—" and no petition shall be received unless the receipt of the Official Receiver for the deposit payable on the presentation of the petition is produced to the proper officer of the Court."

34. The second paragraph of the said Rule is hereby annulled, and the following is substituted therefor:—

(2.) The Official Receiver shall account for the money so deposited to the creditor, or, as the case may be, to the debtor's estate; and any sum so deposited by a petitioning creditor shall be repaid to such creditor (except and so far as such deposit may be required by reason of insufficiency of assets for the payment of the fees and of the expenses incurred by the Official Receiver) out of the first net proceeds of the estate.

Hearing of Petition.

35. On an application for an extension of time for the hearing of a petition, no order shall be made for an extension beyond 14 days from the day fixed for the hearing of the petition, unless the Court is satisfied that such extension of time will not be prejudicial to the general body of creditors. Any costs occasioned by such application shall not be allowed out of the estate unless so ordered by the Court.

36. After the expiration of one month from the day appointed for the first hearing of a petition (provided such petition shall have been duly served) no further adjournment of the hearing merely by consent of the parties shall be allowed, except for the reasons set forth in Rule 139 of the Bankruptcy Rules, 1883, or for such other sufficient reason to be stated in the order for adjournment as the Court shall think fit; but in every such case, unless an order for adjournment is made, the Court shall either make a receiving order or dismiss the petition.

X.—Receiving Orders.

Form.

37. Rule 150 of the Bankruptcy Rules, 1883, is hereby annulled, and the following Rule is substituted therefor:—

A receiving order shall be in one of the Forms Nos. 5 and 6 in the Appendix to these Rules, with such variations as circumstances may require.

When the receiving order is made on a creditor's petition there shall be stated in the receiving order the nature and date, or dates, of the act, or acts, of bankruptcy upon which the order has been made. Every order shall contain at the foot thereof a notice requiring the debtor to attend on the Official Receiver forthwith on the service thereof at the place mentioned therein.

38. Every receiving order, and order for the appointment of the Official Receiver as Interim Receiver of a debtor's property, shall be prepared by the Registrar of the Court, and, in cases in which printed forms can be conveniently used, may be partly in print and partly in writing. Where the petitioner is represented by a solicitor the receiving order shall be indorsed with the name and address of such solicitor.

39. A copy of every receiving order, and order for the appointment of the Official Receiver as Interim Receiver of the debtor's property, sealed with the seal of the Court, shall forthwith be sent by post or otherwise by the Registrar to the Official Receiver.

40. A copy of the receiving order sealed with the seal of the Court shall be forthwith served on the debtor in the High Court by such officer as the Official Receiver may appoint, or in a County Court by the bailiff or officer of the Court appointed to serve the process of the Court, either personally or by leaving the same with some adult inmate at his usual or last known place of residence or business.

Interim Receiver.

Rule 134 of the Bankruptcy Rules, 1883, is hereby annulled, and the following Rules are substituted therefor:—

41. After the presentation of a petition, upon the application of a creditor, or of the debtor himself, and upon proof by affidavit of sufficient grounds for the appointment of the Official Receiver as Interim Receiver of the property of the debtor, or any part thereof, the Court may, if it thinks fit, and upon such terms as may be just, make such appointment.

42. Where an order is made appointing the Official Receiver to be Interim Receiver of the property of the debtor, such order shall bear the number of the petition in respect of which it is made, and shall state the

locality of the property of which the Official Receiver is ordered to take possession.

43. Before any such order is issued, the person who has made the application therefor shall deposit with the Official Receiver the sum of £5 towards the prescribed fee for the Official Receiver, and such further sum as the Court shall direct for the expenses which may be incurred by him.

44. If the sum of £5, and such further sum so to be deposited for the expenses which may be incurred by the Official Receiver, shall prove to be insufficient, the person, on whose application the order has been made, shall from time to time deposit with the Official Receiver such additional sum as the Court may, on the application of the Official Receiver, from time to time direct; and such sum shall be deposited within 24 hours after the making of the order therefor. If such additional sum shall not be so deposited, the order appointing the Interim Receiver shall be discharged by the court.

45. If an order appointing an Interim Receiver is followed by a receiving order, the deposits made by the creditor, on whose application such Interim Receiver was appointed, shall be repaid to him (except and so far as such deposits may be required by reason of insufficiency of assets for the payment of the fees chargeable, and the expenses incurred by, the Interim Receiver), out of the first net proceeds of the estate.

46. Where, after an order has been made appointing an Interim Receiver, the petition is dismissed, the Court shall, upon application to be made within 21 days from the date of the dismissal thereof, adjudicate, with respect to any damages or claim thereto arising out of the appointment, and shall make such order as it thinks fit; and such decision or order shall be final and conclusive between the parties, unless the order be appealed from.

XI.—Public Examination of Debtor.

Time for Holding.

47. When a receiving order has been made against a debtor, it shall be the duty of the Official Receiver to make an application to the Court to appoint a day and hour for holding the public examination of the debtor, and, upon such application being made, the Court shall, by an order, appoint the day and hour for such public examination, and shall order the debtor to attend the Court upon such day and at such hour.

48. Every order appointing the time for holding or proceeding with the public examination shall be served on the debtor, in the High Court by such officer as the Official Receiver may appoint, and in a County Court by the bailiff or officer of the Court appointed to serve the process of the Court. Such order shall be deemed to be sufficiently served on the debtor if it is delivered at his usual or last known place of abode or business.

Default by Debtor in attending.

49. If the debtor fails to attend the public examination at the time and place appointed by any order for holding or proceeding with the same, and no good cause is shown by him for such failure, it shall be lawful for the Court, upon its being proved to the satisfaction of the Court that the order requiring the debtor to attend the public examination was duly served as required by the last preceding Rule, and without any further notice to the debtor, to issue a warrant for his arrest as provided by section 25 (1.) (*d.*) of the Act, or to make such other order as it shall think just.

Notice of Examination.

50. Where any order is made appointing the time and place for holding the public examination of a debtor, the Official Receiver shall give to the creditors notice of such order, and of the time and place appointed thereby. The Official Receiver shall also send a notice of such order to such local paper as the Board of Trade may from time to time direct, or in default of such direction as he may think fit.

Adjournments sine die.

51. Where the Court is of opinion that a debtor is failing to disclose his affairs, or where the debtor has failed to attend the public examination or any adjournment thereof, or where the debtor has not complied with any order of the Court in relation to his accounts, conduct, dealings, and property, and no good cause is shown by him for such failure, the Court may adjourn the public examination *sine die*, and may make such further or other order as it shall think fit.

Proceeding after Adjournment sine die.

52. Where an examination has been adjourned *sine die*, and the debtor desires to have a day appointed for proceeding with his public examination, the expense of gazetting, advertising, and giving notice to creditors of the day to be appointed for proceeding with such examination, shall, unless the Official Receiver or trustee, as the case may be, consents to the costs being paid out of the estate, be at the cost of the debtor, who shall, before any day is appointed for proceeding with the public examination, deposit with the Official Receiver such sum as the Official Receiver shall think sufficient to defray the expense aforesaid. The balance of the deposit after defraying the expense aforesaid, shall be returned to the debtor.

53. In any case in which a public examination has been adjourned *sine die*, and the Court afterwards makes an order for proceeding with such public examination, notice to creditors of the time and place appointed for proceeding with such public examination shall be sent by the Official Receiver, and notice shall also be inserted in the "London Gazette," and in the local paper in which the notice of the first holding of the public examination was inserted, seven days before the day appointed.

XII.—Adjudication.

Adjudication on failure of Composition or Scheme.

54. In any case in which, at the first meeting of creditors of a debtor a resolution for the acceptance of a composition or scheme of arrangement has been passed by the creditors pursuant to section 18 of the Act, if, before the holding of the subsequent meeting for the confirmation of such resolution, the debtor informs the Official Receiver (in writing) that he is unable to carry out the proposed composition or scheme, or if, at the subsequent meeting, the proposed composition or scheme be not confirmed, the Official Receiver shall forthwith apply to the Court to adjudicate the debtor a bankrupt; and the Court may, on such application, and without any notice to the debtor, adjudge him bankrupt.

Annulment of Adjudication.

55. The order of the Court annulling an adjudication shall not relieve a trustee from the liability imposed on trustees by the Act and Rules to account to the Board of Trade for all transactions of such trustee in connexion with the estate.

56. The second paragraph of Rule 211 of the Bankruptcy Rules, 1883, as amended by Rule 106 of these Rules, shall be read with the words "or if the adjudication is annulled," inserted therein after the words "realised and distributed."

XIII.—Compositions and Schemes of Arrangement.

Application for Approval.

57. Where the creditors have confirmed a composition or scheme of arrangement, and the debtor has not within three days from the date of such confirmation applied to the Court to approve of it, the Official Receiver may make an application to the Court for the approval of such composition or scheme, whether he reports in favour of it or not. The Official Receiver shall not, by making an application to the Court under section 18 of the Act for the approval of the Court to such composition or scheme, be deemed necessarily to approve of the same.

58. Any person other than the Official Receiver who applies to the Court to approve of a composition or scheme shall, not less than ten days before the day appointed for hearing the application, send notice of the application to the Official Receiver.

59. Whenever an application is made to the Court to approve of a composition or scheme, the Official Receiver shall, not less than seven days before the day appointed for hearing the application, send notice of the application to every creditor who has proved his debt.

60. In any case in which an application is made to the Court to approve of a composition or scheme, and the Official Receiver reports to the Court any fact, matter, or circumstance which would, under section 18 (6) of the Act, justify the Court in refusing to approve of the composition or scheme, such application shall be deemed to be an opposed application within the meaning of paragraph (*d*) of sub-section 2 of section 99 of the Act.

61. In every case of an application to the Court to approve of a composition or scheme of arrangement, the report of the Official Receiver, made pursuant to section 18 of the Act, shall be filed not less than four days before the time fixed for hearing the application.

62. On the hearing of any application to the Court to approve of a composition or scheme, the Court shall, in addition to considering the report of the Official Receiver, hear the Official Receiver and the trustee (if any) thereon, and an appeal to the Court of Appeal shall lie at the instance of the Board of Trade, or of the trustee (if any), from any order of the Court made upon such an application.

63. No costs incurred by a debtor, of or incidental to an application to approve of a composition or scheme, shall be allowed out of the estate if the Court refuses to approve the composition or scheme.

Terms of Resolution.

64. Every resolution for a composition, or instrument embodying the terms of a proposed composition, which is to be submitted to the Court pursuant to section 18 of the Act, shall, in addition to the other particulars required to be contained therein, specify the manner (if any) in which the payments of the composition are to be secured.

65. In every case of a composition in which a trustee is not appointed to distribute such composition, or, if appointed, declines to act, or becomes incapable of acting, and in every case of a scheme or composition where an order has been made for an administration in a summary manner, and in which a trustee is not appointed to administer the debtor's property, or, if appointed, declines to act, or becomes incapable of acting under the terms of such composition or scheme, the Official Receiver shall be the trustee for the purpose of receiving and distributing the composition, or for the purpose of administering the debtor's property, and carrying out the terms of the composition or scheme, as the case may be.

Deposit by Debtor to cover Costs.

66. Where a composition or scheme of arrangement has been duly confirmed by the creditors as provided by section 18 of the Act, or in small bankruptcies by Rule 199 of the Bankruptcy Rules, 1883, such composition or scheme shall not be approved by the Court unless the Court is satisfied, on the report of the Official Receiver, that provision is made for payment of the *ad valorem* duty for the time being payable in respect of the gross amount of the composition, or of the estimated assets (Table A.), and all proper costs, charges, and expenses of and incidental to the proceedings, and all fees and per-centages payable to the Official Receiver and the Board of Trade under the scale of fees and per-centages in force for the time being.

Fee on Application.

67. The fee prescribed to be charged for and in respect of an application to the Court under sections 18 and 23 of the Act may be allowed and paid out of the estate of the debtor in any case in which there are sufficient funds in the hands of the Official Receiver or trustee, as the case may be, available for the purpose.

Security by Trustee under Scheme.

68. Where under a composition or scheme of arrangement a trustee is appointed to administer the debtor's property or manage his business, such trustee shall, after the composition or scheme has been approved by the Court, give security to the satisfaction of the Board of Trade in like manner as if he were a trustee in bankruptcy. If the trustee fail to give such security within the time required he may be removed by the Board of Trade.

Proof of Debts in Compositions.

69. Every person claiming to be a creditor under any composition or scheme of arrangement, who has not proved his debt before the approval of such composition or scheme, shall lodge his proof with the trustee, if any, or, if there is no such trustee, with the Official Receiver, who shall admit or reject the same. And no creditor shall be entitled to enforce payment of any part of the sums payable under a composition or scheme unless and until he has proved his debt, and his proof has been admitted.

Compositions and Schemes under Section 23.

70. All rules relating to compositions or schemes of arrangement under section 18 of the Act shall, so far as applicable, apply to compositions or schemes of arrangement under section 23 of the Act.

XIV.—Filing Statement of Affairs.

Extension of Time.

71. Where any debtor requires any extension of the time for the filing by him of his statement of affairs, he shall apply to the Official Receiver, who may, if he thinks fit, give a written certificate extending such time, which certificate shall be filed, and shall render an application to the Court under section 16 of the Act unnecessary.

XV.—Proof of Debts.

Proofs for Wages.

72. In any case in which it shall appear from the debtor's statement of affairs that there are numerous claims for wages by workmen and others employed by the debtor, it shall be sufficient if one proof for all such claims is made by the debtor, or his foreman, or some other person on behalf of all such creditors. Such proof shall have annexed thereto, as forming part thereof, a schedule setting forth the names of the workmen and others, and the amounts severally due to them. Any proof made in compliance with this rule shall have the same effect as if separate proofs had been made by each of the said workmen and others, but shall be stamped with one stamp as an ordinary proof.

Production of Bills of Exchange and Promissory Notes.

73. Where a creditor seeks to prove in respect of a bill of exchange, promissory note, or other negotiable instrument or security on which the debtor is liable, such bill of exchange, note, instrument, or security must, subject to any special order of the Court made to the contrary, be produced to the Official Receiver, chairman of a meeting, or trustee, as the case may be, before the proof can be admitted either for voting or for dividend.

Time for lodging Proofs.

73*a*. Rule 170 of the Bankruptcy Rules, 1883, is hereby annulled, and the following Rule is substituted therefor:—

A proof intended to be used at the first meeting of creditors shall be lodged with the Official Receiver not later than the time mentioned for that purpose in the notice convening the meeting, but which time shall not be earlier than twelve o'clock at noon of the day but one before, nor later than twelve o'clock at noon of the day before the day appointed for such meeting.

Procedure for dealing with Proofs.

Rules 171, 172, and 173 of the Bankruptcy Rules, 1883, are hereby annulled, and the following Rules are substituted therefor:—

74. Where a trustee is appointed in any matter, all proofs of debts that have been received by the Official Receiver shall be handed over to the trustee. But the Official Receiver shall first make a list of such proofs, and take a receipt thereon from the trustee for such proofs.

75. The Official Receiver, where no other trustee is appointed, shall, forthwith after the final payment has been made in a composition or scheme of arrangement duly approved by the Court, and in a bankruptcy after a final dividend has been declared, send to the Registrar all proofs tendered in the proceeding, with a list thereof certified to be correct, distinguishing in such list the proofs which were wholly or partly admitted, and the proofs which were wholly or partly rejected.

76. A trustee in every bankruptcy proceeding, other than the Official Receiver, shall, on the first day of every month, send to the Registrar a certified list of all proofs, if any, received by him from the Official Receiver, or otherwise tendered during the month next preceding, distinguishing in such lists the proofs admitted, those rejected, and such as stand over for further consideration; and, in the case of proofs admitted or rejected, he shall transmit the proofs themselves for the purpose of being filed.

77. The Official Receiver, or, as the case may be, the trustee, shall, within three days after receiving notice from a creditor of his intention to appeal against a decision rejecting a proof, file such proof with the Registrar, with a memorandum thereon of his disallowance thereof. After the appeal has been heard by the Court, the proof, unless wholly disallowed, shall be given back to the Official Receiver or trustee, as the case may be.

78. Subject to the power of the Court to extend the time, the Official Receiver, as trustee, not later than seven days from the latest date specified in the notice of his intention to declare a dividend, as the time within which such proofs must be lodged, shall, in writing, either admit or reject wholly or in part every proof lodged with him, or require further evidence in support thereof.

79. Subject to the power of the Court to extend the time, the trustee, other than the Official Receiver, within 28 days after receiving a proof which has not previously been dealt with by the Official Receiver, shall, in writing, either admit or reject it wholly or in part, or require further evidence in support thereof. Provided that where the trustee has given notice of his intention to declare a dividend he shall within seven days after the date mentioned in such notice as the latest date up to which proofs must be lodged, examine and in writing admit or reject every proof which has not been already admitted or rejected, and give notice of his decision rejecting a proof wholly or in part to the creditor affected thereby.

80. Where a creditor's proof has been admitted the notice of dividend shall be sufficient notification to such creditor of such admission.

[*Rule* 174 *to stand as at present.*]

Costs of Appeals from Decisions as to Proofs.

81. The Official Receiver shall in no case be personally liable for costs in relation to an appeal from his decision rejecting any proof wholly or in part.

XVI.—Dividends.

Notice of Dividend.

82. Rule 175, paragraphs (1) and (2) of the Bankruptcy Rules, 1883, are hereby annulled, and the following Rule is substituted therefor:—

(1.) Not more than two months before declaring a dividend, the trustee shall give notice of his intention to do so to the Board of Trade in order that the same may forthwith be gazetted, and at the same time to such of the creditors mentioned in the bankrupt's statement of affairs as have not proved their debts. Such notice shall specify the latest date up to which proofs must be lodged, which shall be not less than 14 days from the date of such notice.

[*Paragraphs* (3), (4), *and* (5) *of Rule* 175 *to remain as at present.*]

(6.) If it becomes necessary, in the opinion of the trustee and the committee of inspection, if any, to postpone the declaration of the dividend beyond the prescribed limit of two months, the trustee shall give a fresh notice of his intention to declare a dividend to the Board of Trade in order that the same may forthwith be gazetted; but it shall not be necessary for such trustee to give a fresh notice to such of the creditors mentioned in the bankrupt's statement of affairs as have not proved their debts. In all other respects the same procedure shall follow the fresh notice as would have followed the original notice.

XVII.—Discharge.

Application.

Rule 178 of the Bankruptcy Rules, 1883, is hereby annulled, and the following Rules are substituted therefor:—

83. A bankrupt intending to apply for his discharge, under section 28 of the Act, shall produce to the Registrar a certificate from the Official Receiver specifying the number of his creditors, of whom he has notice (whether they have proved or not), and the Registrar shall, not less than 28 days before the day appointed for hearing the application, give notice in the prescribed form of the time and place of the hearing of the application to the trustee and to the Official Receiver. The Registrar shall forthwith send a copy of such notice to the Board of Trade for insertion in the London Gazette, and the Official Receiver shall send a copy of such notice to each creditor not less than 14 days before the day so appointed. Such notice shall be in the Form No. 24 in the Appendix to these Rules.

84. In any case in which an application is made to the Court by a bankrupt for his discharge, and the Official Receiver reports to the Court any fact, matter, or circumstance which would, under section 28 or section 29 of the Act, justify the Court in refusing an unconditional order of discharge, such application shall be deemed to be an opposed application within the meaning of section 99 (2.) (*c.*) of the Act.

85. An appeal to the Court of Appeal shall lie at the instance of the Board of Trade, and at the instance of the trustee (if any) from any order of the Court made upon such an application.

Report of Official Receiver.

86. In every case of an application by a bankrupt for his discharge the report of the Official Receiver, made pursuant to section 28 of the Act, shall be filed not less than seven days before the time fixed for hearing of the application.

87. A bankrupt shall not be entitled to have any of the costs of or incidental to his application for his discharge allowed to him out of his estate.

Conditional Orders under Subsection 6 *of Section* 28.

88. (1.) Where, under subsection (6) of section 28 of the Act, the Court grants an order of discharge conditionally upon the bankrupt consenting to judgment being entered against him by the Official Receiver or trustee for any balance of the debts provable under the bankruptcy which is not

satisfied at the date of his discharge, the court shall not deliver out the order of discharge until the bankrupt has given the required consent in the form prescribed in the Appendix to these Rules. The judgment shall be entered in the Court having jurisdiction in the bankruptcy in which the order of discharge is granted, and shall be in the form prescribed in the Appendix to these Rules.

(2.) The Registrar of a County Court in which judgment is so entered shall forthwith make a return of the judgment to the Registrar of County Court judgments.

(3.) The order granting the discharge upon the conditions aforesaid shall be in the form prescribed in the Appendix to these Rules.

Form of Order of Discharge.

89. Rule 179 of the Bankruptcy Rules, 1883, shall be read with the words, "The Order shall be in the Form No. 45 in the Appendix," inserted at the end thereof.

XVIII.—Proxies.

Filling in when Creditor incapable, &c.

90. The proxy of a creditor blind or incapable of writing may be accepted if such creditor has attached his signature or mark thereto in the presence of a witness, who shall add to his signature his description and residence; and provided that all insertions in the proxy are in the handwriting of the witness, and such witness shall have certified at the foot of the proxy that all such insertions have been made by him at the request of the creditor and in his presence before he attached his signature or mark.

91. Rule 183 (4) of the Bankruptcy Rules, 1883, shall be read with the following sentence added at the end thereof, namely: "Such authority shall be in writing."

92. No person shall be appointed a general or special proxy who is a minor.

XIX.—Meetings of Creditors.

Adjournment.

93. Where a meeting of creditors is adjourned the adjourned meeting shall be held at the same place as the original place of meeting, unless in the resolution for adjournment another place is specified.

Quorum.

94. In calculating a quorum of creditors present at a meeting those persons only who are entitled to vote at the meeting shall be reckoned.

XX.—Joint and Separate Estates.

First Meeting, Composition, &c.

96. In cases where a receiving order is made against a firm, the joint and separate creditors shall collectively be convened to the first meeting of creditors.

96. At the first meeting, or any adjournment thereof, the joint creditors and each set of separate creditors may severally entertain proposals for compositions or schemes of arrangement under section 18 of the Act. So far as circumstances will allow, a proposal entertained by joint creditors may be confirmed and approved in the prescribed manner, notwithstanding that the proposals or proposal of some or one of the debtors made to their or his separate creditors may not be entertained, confirmed, and approved.

97. Where proposals for compositions or schemes are made by a firm, and by the partners therein individually, the proposal made to the joint creditors shall be considered and voted upon by them apart from every set of separate creditors; and the proposal made to each separate set of creditors shall be considered and voted upon by such separate set of creditors apart from all other creditors. Such proposals may vary in character and amount. When a composition or scheme is approved the receiving order shall be rescinded only so far as it relates to the estate, the creditors of which have confirmed the composition or scheme.

Adjudication: Trustee.

98. On the adjudication in bankruptcy of a partnership the trustee appointed by the joint creditors, or by the Board of Trade under section 21 (6) or section 87 (3) of the Act, as the case may be, shall be the trustee of the separate estates. Each set of separate creditors may appoint its own committee of inspection; but if any set of separate creditors do not appoint a separate committee, the committee (if any) appointed by the joint creditors shall be deemed to have been appointed also by such separate creditors.

Separate Firms.

99. If any two or more of the members of a partnership constitute a separate and independent firm, the creditors of such last-mentioned firm shall be deemed to be a separate set of creditors, and to be on the same footing as the separate creditors of any individual member of the firm. And where any surplus shall arise upon the administration of the assets of such separate or independent firm, the same shall be carried over to the separate estates of the partners in such separate and independent firm according to their respective rights therein.

Apportionment of Remuneration.

100. Where joint and separate estates are being administered, the remuneration of the trustee in respect of the administration of the joint estate may be fixed by the creditors, or (if duly authorised) by the committee of inspection of such joint estate, and the remuneration of the trustee in respect of the administration of any separate estate may be fixed by the creditors, or (if duly authorised) by the committee of inspection of such separate estate.

XXI.—Summary Administration in Small Bankruptcies.

Advertisements, &c.

101. Instead of the first paragraph of Rule 199 of the Bankruptcy Rules, 1883, there shall be substituted the following:—

(1.) There shall be one advertisement only of the proceedings in a local paper, which shall be in the Form 33 in the Appendix to these Rules.

(2.) When an order for summary administration has been made, the title of every document in the proceedings subsequent to the making of the order shall have inserted thereon the words "Summary Case."

Meetings of Creditors, Composition, Dividends, &c.

102. Instead of the seventh paragraph of Rule 199 of the Bankruptcy Rules, 1883, such Rule shall have inserted therein the following provisions:—

(1.) The first meeting of creditors may, where it is expedient, be held on the day appointed for the public examination, or on any other day fixed by the Official Receiver.

(2.) Where a debtor intends to propose a composition or scheme under section 18 of the Act, he shall, when submitting his statement of affairs under section 16 of the Act, or within such time thereafter as the Official Receiver may fix, lodge with the Official Receiver a proposal in writing, signed by him, embodying the terms of the composition or scheme which he is desirous of submitting for the consideration of his creditors.

(3.) In such case the Official Receiver shall thereupon summon a first meeting of creditors, which shall be held before the public examination of the debtor is concluded, and send to each creditor, with the notice of the meeting, a copy of the debtor's proposal, with a report thereon; and if at such meeting a majority in number, and three-fourths in value, of the creditors who have proved, resolve to accept the proposal, the same shall be deemed to be duly accepted by the creditors; and when approved by the Court shall be binding on all the creditors. It shall not be necessary to hold a subsequent meeting for the purpose of confirming the resolution accepting the debtor's proposal.

(4.) The forms of notice and report (Nos. 19 and 20) in the Appendix to these Rules shall be used with such variations or additions as circumstances may require.

(5.) The debtor may, at the meeting, amend the terms of his proposal; provided such variation shall, in the opinion of the Official Receiver, be calculated to benefit the general body of creditors.

(6.) Creditors who have proved their debts may, as prescribed by the second paragraph of section 18 (2) of the Act, record their votes at the meeting by means of a voting letter addressed to the Official Receiver.

(7.) The application to the Court to approve of a composition or scheme under this rule shall not be heard until after the conclusion of the public examination of the debtor. Any creditor who has proved, or his proxy, may be heard by the Court in opposition to the approval of the composition or scheme, notwithstanding that he may, at the meeting of creditors, have voted for its acceptance.

(8.) Where no proposal for a composition or scheme is lodged with the Official Receiver by the debtor, as prescribed by this Rule, the debtor shall be deemed to have no intention of submitting any proposal to his creditors; and thereupon the Official Receiver shall report the fact to the Court; and if the debtor has not previously been adjudged bankrupt, apply to the Court to adjudge him bankrupt, and the Court shall, on such application, and without any notice to the debtor, forthwith adjudge him bankrupt.

(9.) The provisions of this Rule shall, so far as applicable, extend to any composition or scheme (under section 23 of the Act) proposed by a bankrupt, whose estates has been ordered to be administered in a summary manner.

(10.) On an application by a bankrupt for his discharge the certificate of the Official Receiver shall not include, nor shall notices be sent to, creditors whose debts do not exceed £2.

(11.) In lieu of a copy of the account to be filed with the Court, as prescribed by section 78 (4) of the Act, a statement showing the position of the estate analogous, as nearly as may be, to that prescribed by Rule 175 (4) of the Bankruptcy Rules, 1883, shall be filed.

(12.) Notices of meetings, other than of first meetings, or of sittings of the Court, shall only be sent to creditors whose debts or claims exceed the sum of £2.

(13.) The time mentioned in section 58 (2) of the Act shall be extended to six months.

XXII.—Administration Orders in the Case of Deceased Debtors.

General Rules under Subsection 11 of Section 125 of the Act.

Gazetting and Proceedings Generally.

103. Where an administration order under section 25 of the Act is made, such order shall be gazetted and advertised in the same manner in all respects as an order of adjudication is gazetted and advertised.

Duties of Executors, &c.

104. When an administration order under section 125 of the Act has been made it shall be the duty of the executor or legal personal representative of the deceased debtor to lodge with the Official Receiver forthwith (in duplicate) an account of the dealings with, and administration of (if any), the deceased's estate by such executor or legal personal representative, and such executor or legal personal representative shall also furnish forthwith in duplicate a list of the creditors and a statement of the assets and liabilities and such other particulars of the affairs of the

deceased, as may be required by the Official Receiver. Every account, list, and statement, to be made under this rule, shall be made and verified as nearly as may be in accordance with the practice for the time being of the Chancery Division of the High Court.

The expense of preparing, making, verifying, and lodging any account, list, and statement after this rule shall, after being taxed, be allowed out of the estate, upon production of the necessary allocatur.

105. In any case in which an administration order under section 125 of the Act has been made, and it appears to the Court, on the report of the Official Receiver, that no executor or legal personal representative exists, the account, list, and statement mentioned in the last preceding rule shall be made, verified and lodged by such person as in the opinion of the Court, upon any such report, may have taken upon himself the administration of, or may otherwise have intermeddled with, the property of the deceased, or any part thereof.

XXIII.—Accounts and Audit.

Time for sending Accounts.

106. The second paragraph of Rule 211 of the Bankruptcy Rules, 1883, shall be read as if after the word "realised" there were inserted the words "and distributed."

XXIV.—Trustees and Committee of Inspection.

Appointment.

107. Rule 219 of the Bankruptcy Rules, 1883, shall be read with the following words inserted at the end thereof:—"The expense of such gazetting and notice shall be borne by the trustee, and may be charged by him to the estate."

108. It shall be a sufficient reason for refusing to certify the appointment of a person as trustee that in any other proceeding under the Act such person has either been removed under section 86 (2) of the Act from the office of trustee, or has failed or neglected without good cause shown by him to render his accounts for audit for two months after the date by which the same should have been rendered.

109. The 3rd sub-rule of Rule 253 of the Bankruptcy Rules, 1883, is hereby annulled, and the following is substituted therefor:—

The Board of Trade shall fix the amount and nature of such security, and may from time to time, as they think fit, either increase or diminish the amount of special or general security which any person has given.

110. Where a trustee or special manager has given security in the prescribed manner, but fails to keep up such security, the Board of Trade may, if they think fit, remove him from his office.

Release.

111. Rule 226 of the Bankruptcy Rules, 1883, is hereby annulled, and the following rule is substituted therefor:—

A trustee before making application to the Board of Trade for his release shall give notice of his intention so to do according to the Form 93 in the Appendix to the Bankruptcy Rules, 1883, to all the creditors of the debtor who have proved their debts, and to the debtor, and shall send with such notice a summary of his receipts and payments as trustee: Provided that where such application is made upon the trustee ceasing to act by reason of a composition having been approved under section 23 of the Act, such notice and summary shall be sent to the debtor only.

112. Where the Board of Trade have granted to a trustee his release a notice of the order granting such release shall be gazetted. The trustee shall be required to provide the requisite stamp fee, which may be charged to the estate.

Dealings with Estate.

113. Neither the trustee nor any member of the committee of inspection of an estate shall, while acting as trustee or member of such committee, except by leave of the Court, either directly or indirectly, by himself or any partner, clerk, agent, or servant, become purchaser of any part of the estate. Any such purchase made contrary to the provisions of this rule may be set aside by the court on the application of the Board of Trade or any creditor.

114. No member of a committee of inspection of an estate shall, except under and with the sanction of the Court, directly or indirectly, by himself or any employer, partner, clerk, agent, or servant, be entitled to receive out of the estate any payment for services rendered by him in connexion with the administration of the estate, or for any goods supplied by him to the trustee for or on account of the estate. If it appears to the Board of Trade that any payment has been made contrary to the provisions of this rule they may disallow such payment on the audit of the trustee's account.

Discharge of Costs, &c., before Estate handed over to Trustee.

115. Rule 247 of the Bankruptcy Rules, 1883, is hereby annulled, and the following Rule is substituted therefor:—

(1.) Where a debtor is adjudged bankrupt, and a trustee is appointed, the Official Receiver shall forthwith put the trustee into possession of all property of the bankrupt of which the Official Receiver may be possessed: provided that such trustee shall have, before the estate is handed over to him by the Official Receiver, discharged any balance due to the Official Receiver on account of fees, costs, and charges properly incurred by him and payable under the Act, and on account of all advances properly made by him in respect of the estate, together with interest on such advances at the rate of 4 per cent. per annum, and shall have discharged or undertaken to discharge all guarantees which have been properly given by the Official Receiver for the benefit of the estate; and the trustee shall pay all fees, costs, and charges of the Official Receiver which may not have been discharged by the trustee before being put into possession of the property of the bankrupt, and whether incurred before or after he has been put into such possession.

(2.) The Official Receiver shall be deemed to have a lien upon the estate until such balance shall have been paid, and such guarantees and other liabilities shall have been discharged.

(3.) It shall be the duty of the Official Receiver, if so requested by the trustee, to communicate to the trustee all such information respecting the bankrupt and his estate and affairs as may be necessary or conducive to the due discharge of the duties of the trustee.

Remuneration.

116. Except as provided by the Act or Rules, no trustee shall be entitled to receive out of the estate any remuneration for services rendered to the estate, except the remuneration to which under the Act and Rules he is entitled as trustee.

117. In any case in which, under the provisions of sub-section 6 of section 21, or sub-section 3 of section 87 of the Act, the Board of Trade appoint a trustee, the trustee shall receive out of the estate such remuneration as the Board of Trade shall determine.

118. The second paragraph of Rule 224 of the Bankruptcy Rules, 1883, is hereby annulled.

119. Where the Board of Trade is of opinion that any act done by a trustee or any resolution passed by a committee of inspection should be brought to the notice of the creditors, for the purpose of being reviewed or otherwise, the Official Receiver may summon a meeting of creditors accordingly to consider the same, and the expense of summoning such meeting shall be paid by the trustee out of any available assets under his control.

XXV.—Official Receivers.

Applications to the Court.

120. Where for the purposes of any application to the Court by the Official Receiver for directions, or to adjudge a debtor bankrupt, or for leave to disclaim a lease, or for an extension of time to apply for leave to disclaim a lease, or for an order to take criminal proceedings against a bankrupt, or to commit a bankrupt, it is necessary that evidence be given by him in support of such application, such evidence may be given by a report of the Official Receiver to the Court, and need not be given by affidavit, and any such report of the Official Receiver to the Court shall be received by the Court as *primâ facie* evidence of the matters reported upon.

Trading Account of Debtor.

121. The debtor shall on the request of the Official Receiver furnish him with trading and profit and loss accounts, and a cash and goods account for such period not exceeding two years prior to the date of the receiving order as the Official Receiver shall specify: Provided that the debtor shall, if ordered by the Court so to do, furnish such accounts as the Court may order for any longer period. If the debtor fails to comply with the requirements of this rule the Official Receiver shall report such failure to the Court, and the Court shall take such action on such report as it shall think just.

Liability for Costs, Expenses, and Damages.

122. The following provisions shall apply to every case in which proceedings are taken either by action, motion, or in any other manner, against any Official Receiver in respect of anything done or default made by him, when acting, or in the *bonâ fide* and reasonable belief that he is acting in pursuance of the Act, or in execution of the powers given to Official Receivers by the Act:—

(1.) Subject to the provisions of the next following sub-section, the costs, damages, and expenses which the Official Receiver may have to pay, or to which he may be put under such proceedings, shall be paid out of the estate of the debtor.

(2.) As soon as any such proceedings are commenced it shall be the duty of the Official Receiver to report the same to the Board of Trade, who shall determine whether or not such proceedings shall be resisted or defended.

The Official Receiver shall not, unless the Court shall otherwise order, be entitled to be paid out of the estate any costs or expenses which he may have to pay or bear in consequence of resisting or defending any such proceedings, unless the Board of Trade have determined that such proceedings shall be resisted or defended.

(3.) The Official Receiver shall, if necessary, apply to the Court for any reasonable adjournment of any motion, or other summary proceedings before a Court having jurisdiction in bankruptcy, pending the determination of the Board of Trade upon the question whether such motion or proceedings should be resisted or defended. And the Court may grant an adjournment upon such terms as it shall think fit.

(4.) If such proceedings are commenced before the appointment of a trustee by the creditors, or before the approval of a composition or scheme, the Official Receiver may, before putting the trustee appointed by the creditors, or in the case of a composition the debtor himself, into the possession of the debtor's property, retain the whole or some part of the debtor's estate according as the Board of Trade shall in each case direct, to meet the damages, costs, or expenses which the Official Receiver may have to pay or bear in consequence of the said proceedings. If such proceedings are commenced after the appointment of a trustee by the creditors, or after the approval of a composition or scheme, the Official Receiver shall forthwith give notice of such proceedings to the trustee, or other person in whom the estate of the debtor may be vested, (including where necessary the debtor himself,) and the estate of the debtor shall, as

from the date of such notice, be deemed to be charged with the payment of the said damages, costs, and expenses.

XXVI.—Bank Payments.

Local Banking Account.

123. Rule 251 of the Bankruptcy Rules, 1883, shall be read as if, instead of the words in such Rule "and countersigned by such person as the creditors or the committee of inspection may appoint," such Rule contained the following words, "and shall be countersigned by at least one member of the committee of inspection, and by such other person, if any, as the creditors or the committee of inspection may appoint."

XXVII.—Special Manager.

Accounts.

124. Every special manager shall account to the Official Receiver, and such special manager's accounts shall be verified by affidavit in the prescribed form, and when approved by the Official Receiver, the totals of the receipts and payments shall be added to the Official Receiver's accounts.

XXVIII.—Rule under Section 109.

Receiving Order on Judgment Debtor Summonses.

125. When a receiving order is made under section 103 of the Act, the Court by which the receiving order is made, or the Court to which the matter is transferred, as the case may be, may, if such Court is satisfied, by affidavit or otherwise, or by the report of the Official Receiver of such Court, that the property of the debtor (after deduction of any property in the hands of secured creditors, debts enforceable by distraint, the costs of execution under section 46 (1) of the Act, and all debts which under this Act are directed to be paid in priority to other debts) is not likely to exceed in value £300, make an order that the debtor's estate be administered in a summary manner pursuant to section 121 of the Act and the rules made thereunder.

XXIX.—Auctioneers, &c.

Expenses of Sale.

126. Where property forming a part of a debtor's estate is sold by the trustee through an auctioneer or other agent, the gross proceeds of the sale shall be paid over by such auctioneer or agent, and the charges and expenses connected with the sale shall afterwards be paid to such auctioneer or agent on the production of the necessary allocatur of the Taxing Officer. Every trustee, by whom such auctioneer or agent is employed, shall be accountable for the proceeds of every such sale.

XXX.—Allowance to Debtor.

Allowance in Money.

127. In any case in which, under the provisions of section 64 of the Act, a trustee makes an allowance to a bankrupt out of his property, such allowance, unless the creditors by special resolution determine otherwise, shall be in money, and the amount allowed shall be duly entered in the trustee's accounts.

XXXI.—Gazetting.

128. Where any Receiving Order is amended, and also in any case in which any matter which has been gazetted has been amended or altered, or in which a matter has been wrongly or inaccurately gazetted, the Board of Trade shall regazette such order or matter with all the necessary amendments and alterations in the prescribed form at the expense of the estate.

XXXII.—Forms.

129. The forms in the Appendix to these Rules shall be used in addition to the forms prescribed by the Bankruptcy Rules, 1883; and such of the forms in the Appendix to these Rules as contain additions to or amendments of the corresponding forms prescribed by the Bankruptcy Rules, 1883, shall be used in substitution for or as amendments of such forms.

(Signed) Herschell, C.

I concur.

(Signed) A. J. Mundella,
President of the Board of Trade.

July 29th, 1886.

LEGAL APPOINTMENTS.

Mr. John Scott Underhill, solicitor, of Wellington and Newport, has been appointed a Commissioner to administer Oaths in the Supreme Court of Judicature.

Mr. Richard Barnes, solicitor, of 45, Finsbury-pavement, has been appointed a Commissioner to administer Oaths in the Supreme Court of Judicature.

Mr. George Middleton, of the Central Probate and Divorce Registry, has been appointed District Probate Registrar at Chester, in succession to the late Mr. Charles Thomas Wakefield Parry, of Chester.

The number of bills of sale published in England and Wales for the week ending August 28 was 244. The number in the corresponding week of last year was 272, showing a decrease of 28, being a net increase in 1886, to date, of 306. The number published in Ireland for the same week was 17. The number in the corresponding week of last year was 11, shewing an increase of 6, being a net increase in 1886, to date, of 142.—*From Kemp's Mercantile Gazette.*

COMPANIES.

WINDING-UP NOTICES.

Joint Stock Companies.

Limited in Chancery.

Æolus Waterspray and General Ventilating Company, Limited.—The judge acting in vacation has by an order, dated Aug 24, appointed Mr Walter Allnutt, 4, Lime st, to be official liquidator

Butterine Company, Limited.—Creditors are required, on or before Oct 1, to send their names and addresses, and the particulars of their debts and claims, to William Lott Grimwade, 32, Queen Victoria st. Thursday, Nov 4, at 12, is appointed for hearing and adjudicating upon the debts and claims

Old Falstaff Club, Limited.—Creditors are required, on or before Oct 1, to send their names and addresses, and the particulars of their debts and claims, to John Macdonald Henderson, 2, Moorgate st bldgs. Thursday, Oct 28, at 12, is appointed for hearing and adjudicating upon the debts and claims

Vacuum Pump and Ice Machine Company, Limited.—The judge acting in vacation has fixed Sept 8, at 12, at the chambers of Kay, J., Royal Courts, for the appointment of an official liquidator

[*Gazette*, Aug. 27.]

Bolanachi's Chocolate Company, Limited.—By an order made by North, J., dated Aug 11, it was ordered that the voluntary winding up of the company be continued. Slade and Munk, Clement's lane, solicitors for the petitioner

Burn and Company, Limited.—The judge acting in vacation has fixed Thursday, Sept 9, at 12, at the chambers of Kay, J., Royal Courts, for the appointment of an official liquidator

South Durham Brewery Company, Limited.—The judge acting in vacation has fixed Sept 10, at 12, at the chambers of Kay, J., Royal Courts, for the appointment of an official liquidator

Thomas Burnitt and Co, Limited.—The judge acting in vacation has fixed Sept 8, at 12, at the chambers of Kay, J., Royal Courts, for the appointment of an official liquidator

[*Gazette*, Aug. 31.]

Unlimited in Chancery.

Belfast Central Railway Company.—Pursuant to the directions of the judge acting in vacation, all persons claiming against the company are required, on or before Sept 25, to send their names and addresses, and the particulars of their debts or claims, to Charles Fitch Kemp, 8, Walbrook

[*Gazette*, Aug 31.]

County Palatine of Lancaster.

Limited in Chancery.

City Mercantile Insurance Company, Limited.—The Vice-Chancellor has fixed Monday, Sept 6, at 11, at 9, Cook st, Liverpool, for the appointment of an official liquidator

[*Gazette*, Aug 27.]

Suspended for Three Months.

Court Rose of Sharon, Ancient Order of Foresters, Royal Hotel, Market pl Dewsbury, York. Aug 25

Fitzalan Sick Society, Brown Bear Inn, Norfolk st, Sheffield. Aug 25

Loyal Ancient Britons' Friendly Society of Odd Fellows, Harewood Arms Inn, Ebenezer st, Leeds. Aug 25

Selston Golden Sick Friendly Society, Inkerman Inn, Selston, nr Alfreton, Nottingham, Aug 24

Thorne Friendly Society, Temperance Hall, Thorne, Doncaster, York. Aug 24

[*Gazette*, Aug. 27.]

York North-Eastern Railway Friendly Society, Coach and Horses Inn, 42 Micklegate, York. Aug 27.

[*Gazette*, Aug. 31.]

CREDITORS' CLAIMS.

CREDITORS UNDER 22 & 23 VICT. CAP 35.
LAST DAY OF CLAIM.

Blackwell, Stephen, Llanbadarnfawr, Cardigan, Farmer. Sept 17, Davies Aberystwith

Bussell, John Green, Clifton, Bristol, Gent. Oct 9. O'Donoghue and Anson Bristol

Carter, William, Gurney rd, Stratford, Ivory Manufacturer. Sept 30. Carritt and Son, Rood lane

Dickson, Thomas, Healington, York, Gent. Oct 9. Nicholson, York

Foot, Lydia, Donhead Saint Mary, Wilts. Oct 18. Burridge, Shaftesbury

Foot, Thomas Green, Donhead Saint Mary, Wilts, Gent. Oct 18. Burridge, Shaftesbury

Foster, Rev Charles William, Dalton Vicarage, near Rotherham. Sept 16 Jackson, Doncaster

Foster, John, Dalton Vicarage, near Rotherham, Gent. Sept 16. Jackson Doncaster

Fraser, Robert Laurence, The Gardens, Peckham Rye. Sept 20. Gole, Lime st

Hardy, Maria Eleonora, Torquay, Devon. Oct 1. Upton and Co, Austin Friars

Hayward, Elizabeth, Marlborough hill. Sept 30. Webb and Burt, Argyll st Regent st

Hewens, Nicholas Thomas, Wellingborough, Northampton, Ironmonger. Oct 9. Parker, Wellingborough

Hodgson, William, Lindale, Ilkley, Leeds, Merchant, Oct 1. Emsley, Leeds

Jacob, Henry, Graham rd, Dalston, Gent. Sept 7. Palmer and Smith, Charles sq, Hoxton

Laybourn, Margaret, Monkwearmouth Shore, Durham. Oct 20. Wilford Sunderland

Lrewell, William Henry, Swansea, Cab Driver. Sept 13. Richards, Swansea

Martin, Edward, Aldershot, Southampton, Builder. Oct 1. Beale and Martin, Reading

Port, Frederic, Liverpool, Gent. Sept 21. Gill, Liverpool

Ralph, Frederick William, Ramsgate, Engraver. Sept 29. Ware and Co, Gt Winchester st

Ray, William, jun, Southsea, Timber Merchant. Sept 20. King, Portsea

Renny, Elizabeth, Whitehaven, Cumberland. Aug 28. Todd, Whitehaven

Searle, John, Kurrachee, East Indies, Railway Inspector. Oct 1. Ruston, Chatteris

Sheffield, Mary Ann, Norland sq, Notting Hill. Sept 28. Scott, King William st

Tyers, Mary, Leicester. Oct 1. Stevenson and Son, Leicester

Walter, William, Streatham Hill, Surrey, Gent. Sept 20. Chamberlain, Finsbury sq

Wells, Thomas, Thornfield rd, Hammersmith, Licensed Victualler. Sept 4[illegible] Cobb, Lincoln's inn fields

Williams, Penry, Penpont, Brecon, Esq. Sept 1. Cobb and Tudor, Brecon

Wrench, William, Hoole, nr Chester. Oct 1. Bridgman and Co, Chester

[*Gazette*, Aug. 20.]

SALE OF ENSUING WEEK.

Sept. 9.—Messrs. C. C. & T. Moore, at the Mart, at 2 p.m., Freehold and Leasehold Properties (see advertisement, this week, p. 2).

MARRIAGES.

Dacre—Womack.—Aug. 24, at St. Mary's Church, Kilburn, N., Henry Dacre, solicitor, Leeds, to Alice, daughter of James Shaw Womack, of 68, Abbey-road, St. John's-wood, N.W.

David—Lewis.—Aug. 31, at Newport (Mon.), A. J. David, of the Inner Temple, barrister-at-law, to Sarah, daughter of E. Lewis, Esq., J.P., of Maindee Hall, Monmouthshire.

Fee, Two Guineas, for a sanitary inspection and report on a London dwelling-house. Country surveys by arrangement. The Sanitary Engineering and Ventilation Company, 115, Victoria-street, Westminster. Prospectus free.—[Advt.

Furnish on Norman & Stacey's Hire Purchase System; No Deposit; 1, 2, or 3 years; 60 wholesale firms. Offices, 79, Queen Victoria-street, E.C. Branches at 121, Pall Mall, S.W., and 9, Liverpool-street, E.C.—[Advt.

LONDON GAZETTES.

THE BANKRUPTCY ACT, 1883.

Friday, August 27, 1886.

Receiving Orders.

Andrews, James, Melksham, Wilts, Grocer. Bath. Pet Aug 23. Ord Aug 23. Exam Oct 7 at 11.30

Aubrey, Edward Richard, Rhyl, Flint, Tailor. Bangor. Pet Aug 23. Ord Aug 23. Exam Sept 13 at 12.30 at Court house, Bangor

Barlow, Thomas, Macclesfield, out of business. Macclesfield. Pet Aug 20. Ord Aug 20. Exam Sept 16 at 11

Bayley, John George, Coventry, Picture Dealer. Coventry. Pet Aug 24. Ord Aug 24. Exam Sept 6 at 2.45

Brown, William, Brown's ter, Neville rd, West Ham, Carman. High Court. Pet Aug 24. Ord Aug 25. Exam Oct 13 at 11 at 34, Lincoln's inn fields

Chartres, John, Huddersfield, Cloth Merchant. Huddersfield. Pet Aug 25. Ord Aug 25. Exam Oct 12 at 11

Cheetham, James, Liverpool, Builder. Liverpool. Pet Aug 11. Ord Aug 24. Exam Sept 9 at 11 at Court house, Government bldgs, Victoria st, Liverpool

Clay, Albert, Fenton, Staffordshire, Beerseller. Stoke upon Trent and Longton. Pet Aug 23. Ord Aug 23. Exam Sept 7 at 3

Cruse, Charles Henry, Cardiff, Draper. Cardiff. Pet July 20. Ord Aug 18. Exam Oct 5 at 2

Dangerfield, Benjamin, Devizes, Fishmonger. Bath. Pet Aug 13, Ord Aug 24. Exam Oct 7 at 12

Daniel, George Prosser, Swansea, Ironmonger. Swansea. Pet Aug 23. Ord Aug 23. Exam Oct 27

Devlin, John, Newcastle on Tyne, Draper. Newcastle on Tyne. Pet Aug 6. Ord Aug 23. Exam Sept 7 at 11

Downes, F M, Philpot lane, Merchant. High Court. Pet Aug 3. Ord Aug 25. Exam Oct 14 at 11.30 at 34, Lincoln's inn fields

Dunn, Frank, Bickerton rd, Upper Holloway, Frilling Manufacturer. High Court. Pet Aug 24. Ord Aug 24. Exam Oct 14 at 11.30 at 34, Lincoln's inn fields

Eaton, Alfred, Birmingham, out of business. Birmingham. Pet Aug 25. Ord Aug 25. Exam Sept 15 at 2

Ellis, David, Ossett, Yorks, Contractor. Dewsbury. Pet Aug 24. Ord Aug 24. Exam Sept 28

Fenton, Benjamin, West Bromwich, Ironfounder. Oldbury. Pet Aug 19. Ord Aug 19. Exam Sept 27

Fox, Charles James, Bishopsgate st Within, Contractor. High Court. Pet Aug 24. Ord Aug 24. Exam Oct 14 at 11 at 34, Lincoln's inn fields

Freeman, Henry Vincent, Doncaster rd, Barnsley, Hay Dealer. Barnsley. Pet Aug 25. Ord Aug 25. Exam Oct 14 at 11 30

Furze, Charles, Stockton on Tees, Baker. Stockton on Tees and Middlesborough. Pet Aug 24. Ord Aug 24. Exam Sept 1

Gillatt, Edward, Sheffield, Butcher. Sheffield. Pet Aug 24. Ord Aug 25. Exam Oct 7 at 11.30

Goodger, Thomas, Carlisle, Clock Maker. Carlisle. Pet Aug 25. Ord Aug 25. Exam Sept 8 at 11 at Court house, Carlisle

Grant, James, West Drayton, Licensed Victualler. Windsor. Pet Aug 23. Ord Aug 23. Exam Sept 25 at 12

Greenman, Joseph, New Swindon, Baker. Swindon. Pet Aug 24. Ord Aug 24. Exam Oct 13 at 2 at Corn Exchange, Swindon

Halford, John Henry, Gt Marylebone st, Licensed Victualler. High Court. Pet Aug 17. Ord Aug 23. Exam Oct 14 at 11 at 34, Lincoln's inn fields

Harpin, Herbert, Thurstonland, near Huddersfield, Quarry Owner. Huddersfield. Pet Aug 21. Ord Aug 21. Exam Oct 12 at 11

Harrison, James, Openshaw, nr Manchester, Storekeeper. Manchester. Pet Aug 9. Ord Aug 25. Exam Sept 15 at 1

Hart, Francis, Llanelly, Baker. Carmarthen. Pet Aug 24. Ord Aug 24. Exam Sept 21

Hills, Alfred, Maidstone, Painter. Maidstone. Pet Aug 23. Ord Aug 24. Exam Sept 28

Hughes, Thomas, Macsbury, Salop, Miller. Wrexham. Pet Aug 23. Ord Aug 23. Exam Sept 14

Inch, William, St Austell, Cornwall, Grocer. Truro. Pet Aug 23. Ord Aug 23. Exam Sept 29 at 11

Johnson, Edward, St Helens, Lancashire, Merchant. Liverpool. Pet Aug 25. Ord Aug 25. Exam Sept 9 at 11 at Courthouse, Government bldngs, Victoria st, Liverpool

Jones, David James, Walsall, Licensed Victualler. Walsall. Pet Aug 25. Ord Aug 25. Exam Sept 15 at 12

Jones, Herbert James, Cadoxton juxta Barry, Glamorganshire, Builder. Cardiff. Pet Aug 21. Ord Aug 21. Exam Oct 5 at 2

Jones, John, Bridgend, Glamorganshire, Hotel Keeper. Cardiff. Pet Aug 24. Ord Aug 24. Exam Oct 5 at 2

Jupe, James, Northwood, I.W., Farmer. Newport and Ryde. Pet Aug 21. Ord Aug 21. Exam Sept 7

Marwood, Matthew, North Leverton, Nottinghamshire, Labourer. Lincoln. Pet Aug 13. Ord Aug 24. Exam Sept 21 at 2.30

McClure, Thomas, South st, Greenwich, Bookseller. High Court. Pet July 22. Ord Aug 23. Exam Oct 14 at 11 at 34, Lincoln's inn fields

Milton, Alfred, Worcester, Plumber. Worcester. Pet Aug 23. Aug 23. Exam Sept 28 at 11.30

Nye, Arthur Dalton, Brighton, Coach Maker. Brighton. Pet Aug 24. Ord Aug 24. Exam Sept 30 at 11

Patteson, Henry Partridge, Auriol rd, Kensington, Civil Servant. High Court. Pet May 22. Ord Aug 23. Exam Oct 13 at 11 at 34, Lincoln's inn fields

Porter, Henry, Kingston upon Hull, Builder. Kingston upon Hull. Pet Aug 23. Ord Aug 23. Exam Oct 4 at 2 at Court house, Townhall, Hull

Preece, Charles, Birmingham, Licensed Victualler. Birmingham. Pet Aug 23. Ord Aug 23. Exam Sept 15 at 2

Pyman, Edgar Brice, Ipswich, Clothier. Ipswich. Pet Aug 24. Ord Aug 24. Exam Sept 24 at 11

Radmall, Henry, Nottingham, Leather Merchant. Nottingham. Pet Aug 23. Ord Aug 23. Exam Oct 19

Rickard, Richard White, Lombard st, Engineer. High Court. Pet Aug 23. Ord Aug 24. Exam Oct 14 at 11 at 34, Lincoln's inn fields

Rostron, Thurston, Over Darwen, Lancashire, Coal Agent. Blackburn. Pet Aug 25. Ord Aug 25. Exam Oct 5 at 11.30 at County Court house, Blackburn

Schiff, Saling, Stoke Newington rd, Tobacconist. Edmonton. Pet July 31. Ord Aug 24. Exam Sept 28 at 1 at Court house, Edmonton

Shreve, Alfred, Newcastle on Tyne, Confectioner. Newcastle on Tyne Pet Aug 25. Ord Aug 25. Exam Sept 7 at 11.30

Sibthorpe, Stephen James Kenneth, Wolverhampton, Chemist. Wolverhampton. Pet Aug 23. Ord Aug 23. Exam Sept 28

Spooner, John, Cheadle, Staffordshire, Boot Maker. Stoke upon Trent and Longton. Pet Aug 23. Ord Aug 23. Exam Sept 7 at 2.45

Strange, George Richardson, Tonbridge Wells, Carpenter. Tonbridge Wells. Pet Aug 24. Ord Aug 24. Exam Sept 16 at 12

Thomas, Jeremiah, Birmingham, Boot Manufacturer. Birmingham. Pet Aug 19. Ord Aug 23. Exam Sept 22 at 2

Thomas, John, Valley, nr Holyhead, General Dealer. Bangor. Pet Aug 7. Ord Aug 23. Exam Sept 13 at 12.30 at Court house, Bangor

Vale, Richard, Hereford, Innkeeper. Hereford. Pet Aug 24. Ord Aug 24. Exam Sept 17

Wilson, James, Hastings, Brewers' Agent, Hastings. Pet Aug 23. Ord Aug 23. Exam Sept 20

Wilson, John Turle, Parkstone, Poole, Builder. Poole. Pet Aug 23. Ord Aug 23. Exam Sept 29 at 12 at Townhall, Poole

Winning, Henry Lawrence, Cheltenham, Yeast Dealer. Cheltenham. Pet Aug 25. Ord Aug 25. Exam Oct 1 at 12

The following amended notice is substituted for that published in the London Gazette of August 13.

Metz, Henry, Falcon rd, Battersea, House Furnisher. Wandsworth. Pet Aug 7. Ord Aug 7. Exam Oct 7

The following amended notice is substituted for that published in the London Gazette of August 20.

Lymbery, Frederick, Long Eaton, Derbyshire, Lace Manufacturer. Derby. Pet Aug 7. Ord Aug 18. Exam Oct 18

Receiving Order Rescinded.

Fryer, Ernest, Pall Mall. Court of Appeal in Bankruptcy. Receiv Ord June 26. Rescis July 30

First Meetings.

Andrews, James, Melksham, Wilts, Grocer. Sept 8 at 12.45. Official Receiver, Bank chbrs, Bristol

Ash, Joseph Lathbury, Birmingham, Painter. Sept 6 at 2. Official Receiver, Birmingham

Barlow, Thomas, Macclesfield, out of business. Sept 3 at 11.30. Official Receiver, 23, King Edward st, Macclesfield

Bayley, John George, Coventry, Picture Dealer. Sept 6 at 12. Official Receiver, 17, Hertford st, Coventry

Bent, Charles, Birmingham, Jewel Case Maker. Sept 7 at 11. Official Receiver, Birmingham

Clay, Albert, Fenton, Staffordshire, Beerseller. Sept 7 at 12. Official Receiver, Newcastle under Lyme

Cripps, Frederick, New Brighton, Cheshire, Bookseller. Sept 6 at 2. Official Receiver, 35, Victoria st, Liverpool

Cruse, Charles Henry, Cardiff, Draper. Sept 7 at 2.30. Official Receiver, Corn st, Bristol

Dangerfield, Benjamin, Devizes, Fishmonger. Sept 9 at 1. Bear Hotel, Devizes

Daniel, George Prosser, Swansea, Ironmonger. Sept 6 at 3. The Wellington Hotel, Gloucester

Davies, David, Darren Velindre, nr Swansea, Grocer. Sept 3 at 3. Official Receiver, 6, Rutland st, Swansea

Devlin, John, Newcastle on Tyne, Travelling Draper. Sept 6 at 11. Official Receiver, Pink lane, Newcastle on Tyne

Dunn, Elizabeth (Sep Estate), Higher Broughton, Manchester, Lodging house Keeper. Sept 3 at 3. Official Receiver, Ogden's chmbrs, Bridge st, Manchester

Fleming, Thomas, Liverpool, Team Owner. Sept 7 at 2. Official Receiver, 35, Victoria st, Liverpool

Gershon, Samuel, Liverpool, Furniture Dealer. Sept 6 at 12. Official Receiver, 35, Victoria st, Liverpool

Goodger, Thomas, Carlisle, Clockmaker. Sept 8 at 12. Official Receiver, 34, Fisher st, Carlisle

Harpin, Herbert, Thurstonland, nr Huddersfield, Quarry Owner. Sept 4 at 11. Haigh & Son, New st, Huddersfield

Haynes, Martin John, Beckenham, Tobacconist. Sept 6 at 1. Official Receiver, 109, Victoria st, Westminster

Hills, Alfred, Maidstone, Painter. Sept 7 at 3. Official Receiver, Week st, Maidstone

Jones, Herbert James, Cadoxton juxta Barry, Glamorganshire, Builder. Sept 3 at 2.30. Official Receiver, 3, Crockherbtown, Cardiff

Jupe, James, Northwood, Isle of Wight, Farmer. Sept 8 at 3. Official Receiver, Newport, Isle of Wight

Lister, William, Leeds, out of business. Sept 3 at 11. Official Receiver, St Andrews's chbrs, 22, Park row, Leeds

Metz, Henry, Falcon rd, Battersea, House Furnisher. Sept 6 at 3. Official Receiver, 109, Victoria rd, Westminster

Milton, Alfred, Worcester, Plumber. Sept 6 at 11. Official Receiver, Worcester

Moss, Fanny Louisa, and Elizabeth Dunn, Higher Broughton, Manchester, Lodging House Keeper. Sept 3 at 3. Official Receiver, Ogden's chbrs, Bridge st, Manchester

Moss, Fanny Louisa, sep estate, Higher Broughton, Lodging House Keepers. Sept 3 at 3. Official Receiver, Ogden's chbrs, Bridge st, Manchester

Nye, Arthur Dalton, Coachmaker. Sept 6 at 12. 33, Carey st, Lincoln's inn

Pickard, Thomas, Batley, Yorks, Beerhouse Keeper. Sept 3 at 3. Official Receiver, Bank chbrs, Batley

Porter, Henry, Kingston upon Hull, Builder. Sept 6 at 2. Hull Incorporated Law Society, Lincoln's inn bldgs, Bowlalley lane, Hull

Porter, John Brooks, Leighton Buzzard, Bedfordshire, Builder. Sept 3 at 12. Ewen and Roberts, Solicitors, 42, The Outer Temple, Strand

Russell, Edward, Birmingham, Electro Plater. Sept 8 at 11. Official Receiver, Birmingham

Shreve, Alfred, Newcastle on Tyne, Confectioner. Sept 6 at 11. Official Receiver, Pink lane, Newcastle on Tyne

Sibthorpe, Stephen James Kenneth, Wolverhampton, Chemist. Sept 6 at 11. Official Receiver, St Peter's close, Wolverhampton

Smith, David, Birmingham, out of business. Sept 7 at 2. Official Receiver, Birmingham

Smith, Henry, Leicester, Chemist. Sept 3 at 3. 26, Friar lane, Leicester

Smith, Samuel Wilson, Shrewsbury, Licensed Victualler. Sept 14 at 11.30. Law Society, Talbot chbrs, Shrewsbury

Smith, William, Irthlingborough, Northamptonshire, Boot Manufacturer. Sept 4 at 4. County Court, Northampton
Sparks, Samuel, Ramsgate, Mariner. Sept 3 at 10. 32, St George's st, Canterbury
Spooner, John, Cheadle, Staffordshire, Boot Maker. Sept 7 at 11. Official Receiver, Newcastle under Lyme
Strange, George Richardson, Tunbridge Wells, Carpenter. Sept 3 at 12. Messrs. Spencer and Reeves' Office, Mount Pleasant, Tunbridge Wells
Wilson, John Turle, Poole, Dorsetshire, Builder. Sept 6 at 3.30. Laing's Hotel, Wimborne

ADJUDICATIONS.

Bailey, Richard, Penge, Kent, Lime Merchant. Croydon. Pet May 25. Ord Aug 20
Bartlett, Harry Haydyn, South sq, Gray's inn, Solicitor. High Court. Pet Aug 20. Ord Aug 24
Berry, William, Bristol, Innkeeper. Bristol. Pet Aug 20. Ord Aug 25
Brewer, Henry, Eastbourne, Carman. Lewes and Eastbourne. Pet Aug 16. Ord Aug 18
Clay, Albert, Fenton, Staffordshire, Beerseller. Stoke upon Trent and Longton. Pet Aug 23. Ord Aug 24
Clayton, Charles, Deptford, Kent, Newsagent. Greenwich. Pet July 22. Ord Aug 20
Clegg, John James, Choriten cum Hardy, nr Manchester, Leather Merchant, Manchester. Pet Aug 18. Ord Aug 25
Cruse, Charles Henry, Cardiff, Draper. Cardiff. Pet July 20. Ord Aug 25
Dalrymple, John, Newcastle on Tyne, Clerk. Newcastle on Tyne. Pet Aug 10. Ord Aug 24
Darken, James, Thorpe St Andrew, Norfolk, Music Seller. Norwich Pet June 29. Ord Aug 18
Dorey, Arthur James, Ferndale, Glamorganshire, Builder. Pontypridd. Pet Aug 10. Ord Aug 25
Dyson, John Edwin, East Ardsley, Yorks, Druggist. Wakefield. Pet July 14. Ord Aug 7
Furze, Charles, Stockton on Tees, Baker. Stockton on Tees and Middlesborough. Pet Aug 24. Ord Aug 24
Gibbs, Robert Thomas, Cardiff, Colliery Proprietor. Cardiff. Pet July 17. Ord Aug 24
Hall, John, the younger, Baldock, Hertfordshire, Farmer. Luton. Pet Aug 2. Ord Aug 20
Hall, William, Castlemorton, Worcestershire, Licensed Victualler. Worcester. Pet July 29. Ord Aug 25
Hart Francis, Llanelly, Baker. Carmarthen. Pet Aug 24. Ord Aug 24
Hills, Alfred, Maidstone, Painter. Maidstone. Pet Aug 24. Ord Aug 24
Howard, Arthur Edgar, Cambridge, Baker. Cambridge. Pet Aug 17. Ord Aug 25
Howarth, James Robert, Manchester, Estate Agent. Manchester. Pet July 22. Ord Aug 24
Jones, Herbert James, Cadoxton juxta Barry, Glamorganshire, Builder. Cardiff. Pet Aug 21. Ord Aug 21
Jones, John, Bridgend, Glamorganshire, Hotel Keeper. Cardiff. Pet Aug 24. Ord Aug 24
King, John, Ferryside, Bootmaker. Carmarthen. Pet July 30. Ord Aug 21
Moss, Fanny Louisa, and Elizabeth Dunn, Manchester, Lodging-house Keepers. Salford. Pet Aug 21. Ord Aug 21
Murray, William, South Shields, Plasterer. Newcastle-on-Tyne. Pet Aug 20. Ord Aug 25
Paltridge, Robert, Newton Abbott, Devon, Draper. Exeter. Pet Aug 9. Ord Aug 23
Pamment, Philip, Deptford, Grain Contractor. Greenwich. Pet July 7. Ord Aug 9
Poole, Robert, Handsworth, Birmingham, Engineer. Birmingham. Pet Aug 21. Ord Aug 25
Pratt, Frederick, Northam, Devon, Surgeon. Barnstaple. Pet July 30. Ord Aug 23
Preece, Charles, Birmingham, Licensed Victualler. Birmingham. Pet Aug 23. Ord Aug 25
Price, William Henry, Cardiff, Grocer. Cardiff. Pet Aug 5. Ord Aug 24
Richardson, Charles, Newcastle-on-Tyne, Boot Maker. Newcastle-on-Tyne. Pet Aug 20. Ord Aug 24
Searson, Samuel, Peterborough, Corn Merchant. Peterborough. Pet July 30. Ord Aug 23
Scanlan, Morris, Bournemouth, Tailor. Poole. Pet Aug 9. Ord Aug 24
Sibthorpe, Stephen James Kenneth, Wolverhampton, Chemist. Wolverhampton. Pet Aug 23. Ord Aug 25
Smith, Henry, Cardiff, Ship Chandler. Cardiff. Pet Aug 4. Ord Aug 24.
Spooner, John, Cheadle, Staffordshire, Boot Maker. Stoke-on-Trent. Pet Aug 23. Ord Aug 23
Thomas, Jeremiah, Birmingham, Boot Manufacturer. Birmingham. Pet Aug 19. Ord Aug 25.
Uff, John George Ephraim, Leicester, Haberdasher. Leicester. Pet July 12 Ord Aug 25
Vale, Richard, Hereford, Innkeeper. Hereford. Pet Aug 24. Ord Aug 24
Ward, Edward, Tipton, Staffordshire, out of business. Dudley. Pet Aug 18. Ord Aug 20
Whitehouse, Cornelius, jun, Birmingham, Boot Manufacturer. Birmingham. Pet Aug 21. Ord Aug 25
Witt, William, Fordingbridge, Hampshire, Butcher. Salisbury. Pet Aug 14. Ord Aug 25
Wright, Robert, Felling, Durham, Cowkeeper. Newcastle on Tyne. Pet Aug 21. Ord Aug 25

TUESDAY, Aug. 31, 1886.

RECEIVING ORDERS.

Aarons, Aaron, Ely terr, White Horse lane, Stepney, out of business. High Court. Pet Aug 26. Ord Aug 27. Exam Oct 13 at 11.30 at 34, Lincoln's inn fields
Andrew, Thomas, Friars Hill rd, Richmond, Wood Merchant. Wandsworth. Pet July 8. Ord Aug 26. Exam Oct 7
Pastow, Walter, Loughborough, Leicestershire, Waiter. Bradford. Pet Aug 27. Ord Aug 28. Exam Sept 29
Blackwell, Francis, Hastings, Licensed Victualler. Hastings. Pet Aug 28. Ord Aug 28. Exam Sept 20
Brittain, John, Walsall, Bridle Cutter. Walsall. Pet Aug 25. Ord Aug 26. Exam Sept 15
Canova, Peter Manzie, Halesworth, Suffolk, Printer. Gt Yarmouth. Pet Aug 26. Ord Aug 26. Exam Sept 13 at 11 at Townhall, Gt Yarmouth
Clapham, James, Bradford, Basket Manufacturer. Bradford. Pet Aug 27. Ord Aug 27. Exam Sept 29
Coltis, Ambrose, Gillingham, Dorset, Coal Merchant. Salisbury. Pet Aug 26. Ord Aug 26. Exam Oct 8 at 2
Cox, Major George, Walsall, out of business. Walsall. Pet Aug 28. Ord Aug 28. Exam Sept 29 at 11.30
De Beer, Joseph Baruchson, Grassendale, Lancashire, Merchant. Liverpool. Pet Aug 27. Ord Aug 28. Exam Sept 9 at 12 at Court house, Government bldgs, Victoria st, Liverpool
Fort, John, and William Septimus Fort, Liverpool, Tailors. Liverpool. Pet Aug 26. Ord Aug 27. Exam Sept 9 at 12 at Court house, Government bldgs, Victoria st, Liverpool
Giles, Noah, Skegness, Lincolnshire, Grocer. Boston. Pet Aug 23. Ord Aug 26. Exam Oct 7 at 2
Hall, William, South Lynn, All Saints, Norfolk, Farmer. King's Lynn. Pet Aug 24. Ord Aug 24. Exam Sept 15 at 11 at Court house, King's Lynn
Hartopp, Sir John William Cradock, Bart, Bournemouth. High Court. Pet Aug 7. Ord Aug 25. Exam Oct 14 at 11.30 at 34, Lincoln's inn fields
Jenkins, David Griffith, Dinas Cross, Pembrokeshire, Draper. Carmarthen. Pet Aug 27. Ord Aug 27. Exam Sept 21
Laing, Walter William, Worcester, Salesman. Worcester. Pet Aug 26. Ord Aug 26. Exam Sept 29 at 11.30
Longley, Edward, Ramsgate, Shipwright. Canterbury. Pet Aug 27. Ord Aug 27. Exam Sept 10
McIntyre, James & Co, Manchester, Plumbers. Manchester. Pet Aug 28 Ord Aug 28. Exam Sept 15 at 1
Osborn, Edward Elijah, Gillingham, Kent, out of business. Rochester. Pet Aug 26. Ord Aug 26. Exam Sept 23 at 2
Perkins, James, Leicester, Joiner. Leicester. Pet Aug 26. Ord Aug 28. Exam Oct 6 at 10
Roberts, Edward, Rhymney, Mon, Grocer. Tredegar. Pet Aug 18. Ord Aug 27. Exam Sept 24 at 3.30 at County Court, Tredegar
Roe, Clarence, Kentmere, nr Staveley, Westmoreland, Artist. Kendal. Pet Aug 28. Ord Aug 28. Exam Sept 18 at 2 at Court house, Townhall, Kendal
Stanbrook, William John, Little Britain, Manufacturer. High Court. Pet Aug 26. Ord Aug 26. Exam Oct 13 at 11 30 at 34, Lincoln's inn fields
Sutcliffe, Edwin, Halifax, Insurance Agent. Halifax. Pet Aug 28. Ord Aug 28. Exam Oct 11
Town, Herbert, Richards Castle, Salop, Farmer. Leominster. Pet Aug 25. Ord Aug 26. Exam Oct 28
Turnbull, Thomas, Workington, Cumberland, Plumber. Cockermouth and Workington. Pet Aug 25. Ord Aug 25. Exam Sept 24 at 1 at Court house, Cockermouth
Vaughan, Joseph Marychurch, Amersham rd, New Cross, Clerk in Holy Orders. High Court. Pet July 29. Ord Aug 26. Exam Oct 13 at 11.30 at 34, Lincoln's inn fields
Warsop, Thomas, sen, and Thomas Warsop, jun, Sydenham rd North, Croydon, Stonemasons. Croydon. Pet Aug 23. Ord Aug 27. Exam Oct 8
Whisstock, Frederick, Thoroughfare, Woodbridge, Estate Agent. Ipswich. Pet Aug 26. Ord Aug 26. Exam Sept 24 at 11.30
Wildsmith, Joseph, Mansfield, Nottinghamshire, Hay Dealer. Nottingham. Pet Aug 25. Ord Aug 25. Exam Oct 19
Willmott, John, Spalding, Lincolnshire, Hairdresser. Peterborough. Pet Aug 28. Ord Aug 28. Exam Sept 20 at 12
Winscom, Richard Weeks, Woolston, Hampshire, Grocer. Southampton. Pet Aug 25. Ord Aug 25. Exam Sept 8 at 12
Wodehouse, William Wentworth, Hawke rd, Upper Norwood, Clerk in Holy Orders. High Court. Pet Aug 26. Ord Aug 26. Exam Oct 13 at 11 at 34, Lincoln's inn fields
Wood, George Henry, Harrogate, Yorks, Confectioner. York. Pet Aug 25. Ord Aug 27. Exam Oct 1 at 11 at Guildhall, York
Wright, George, and John Rogers Browne, Nottingham, Lace Manufacturers. Nottingham. Pet Aug 25. Ord Aug 25. Exam Oct 19

FIRST MEETINGS.

Aubrey, Edward Richard, Rhyl, Flintshire, Tailor. Sept 7 at 4.30. Star Cocoa House, Rhyl
Baker, Edward Byles, Moncrieff ter, Rye lane, Peckham, Ironmonger. Sept 9 at 12. Bankruptcy bldgs, Portugal st, Lincoln's inn
Brittain, John, Walsall, Bridle Cutter. Sept 15 at 11.15. Official Receiver, St Peter's close, Wolverhampton
Buckhurst, Charles, St Paul's rd, Camden Town, Licensed Victualler. Sept 10 at 11. 33, Carey st, Lincoln's inn
Bulling, S, Upton, Essex, Builder. Sept 8 at 11. 33, Carey st, Lincoln's inn
Chartres, John, Huddersfield, Cloth Merchant. Sept 8 at 11. Haigh and Son, Solicitors, New st, Huddersfield
Claridge, Frank E S, address unknown, Captain in West India Regiment. Sept 9 at 11. 33, Carey st, Lincoln's inn
Collis, Ambrose, Gillingham, Dorset, Coal Merchant. Sept 9 at 3. Official Receiver, Salisbury
Collyer, Charles Edwards, Fenchurch st, Hemp Broker. Sept 8 at 12. Bankruptcy bldgs, Portugal st, Lincoln's inn
Eaton, Alfred, Birmingham, out of business. Sept 10 at 2. Official Receiver, Birmingham
Ellis, David, Ossett, Yorks, Contractor. Sept 7 at 3. Official Receiver, Bank chambrs, Batley
Field, Arthur William, Biggleswade, Bedfordshire, Boot Maker. Sept 22 at 10.45, 8, St Paul's sq, Bedford, Beds
Fowler, George, residence unknown, no occupation. Sept 10 at 11. 33, Carey st, Lincoln's inn
French, John, Commercial st, Brassfounder. Sept 8 at 11. Bankruptcy bldgs, Portugal st, Lincoln's inn
Furze, Charles, Stockton on Tees, Baker. Sept 7 at 11.30. Official Receiver in Bankruptcy, 8, Albert rd, Middlesborough
Gaimes, Eleanor Mary, Birchin lane, Cornhill, Hat Manufacturer. Sept 7 at 11. 33, Carey st, Lincoln's inn
Gillatt, Edward, Sheffield, Butcher. Sept 8 at 1. Official Receiver, Figtree lane, Sheffield
Grant, James, West Drayton, Licensed Victualler. Sept 9 at 3. Official Receiver, 109, Victoria st, Westminster
Greenman, Joseph, New Swindon, Baker. Sept 7 at 11.30. Henry C. Tombs, Official Receiver, Swindon, Wilts
Halford, John Henry, Gt Marylebone st, Licensed Victualler. Sept 9 at 12.30. 33, Carey st, Lincoln's inn
Harrison, James, Openshaw, nr Manchester, Shopkeeper. Sept 8 at 11.30. Official Receiver, Ogden's chbrs, Bridge st, Manchester
Hart, Francis, Llanelly, Baker. Sept 10 at 11. F G Gough, Auctioneer, Llanelly
Horsfall, Tom (sep estate), Kimberworth, Yorks, Drapers. Sept 9 at 10.30. Official Receiver, New st, Huddersfield
Horsfall, Tom, and Thomas Jarvis, Rotherham, Yorks, Drapers. Sept 9 at 10.30. Official Receiver, New st, Huddersfield
Hughes, Thomas, Maesbury, Salop, Miller. Sept 10 at 2.30. Queen's Hotel, Oswestry
Inch, William, Mount Charles, nr St Austell, Grocer. Sept 7 at 12. Official Receiver, Boscawen st, Truro
Jones, David James, Walsall, Licensed Victualler. Sept 8 at 4. Official Receiver, Bridge st, Walsall
Laing, Walter William, Worcester, Salesman. Sept 9 at 11. Official Receiver, Worcester
Mather, John, St Helen's, Lancashire, Fish Dealer. Sept 8 at 3. Official Receiver, 35, Victoria st, Liverpool
Norton, Thomas, Newcomen st, Southwark, Dairy Farmer. Sept 8 at 12. 33 Carey st, Lincoln's inn
Osborn, Edward Elijah, Gillingham, Kent, out of business. Sept 9 at 11.30. Official Receiver, High st, Rochester
Perkins, James, Leicester, Joiner. Sept 10 at 3. 28, Friar lane, Leicester
Pike, William, Chancery lane, Club Proprietor. Sept 10 at 12. Bankruptcy bldgs Portugal st Lincoln's inn
Preece, Charles, Birmingham, Licensed Victualler. Sept 9 at 11. Official Receiver, Birmingham
Pyman, Edgar Brice, Ipswich, Clothier. Sept 7 at 12. Official Receiver, 2, West gate st, Ipswich
Radmall, Henry, Nottingham, Leather Merchant. Sept 10 at 3. Official Receiver, 1, High pavement, Nottingham

Reed, Bowen, and Co, Tokenhouse yd, Contractors. Oct 27 at 12. Bankruptcy bldgs, Portugal st, Lincoln's inn
Roberts, Charles Philip, St Paul's rd, Highbury, Builder. Sept 10 at 11. Bankruptcy bldgs, Portugal st, Lincoln's inn
Rogers, Henry, Egham, Surrey, Builder. Sept 8 at 11. 28 and 29, St Swithin's lane
Rostron, Thurston, Over Darwen, Coal Agent. Sept 8 at 3. New Inn, Darwen
Smith, Richard, London wall, Licensed Victualler. Sept 8 at 11. Bankruptcy bldgs, Portugal st, Lincoln's inn
Solomon, Levi, Oxford, Jeweller. Sept 14 at 11.30. Official Receiver, 1, St Aldates, Oxford
Turnbull, Thomas, Workington, Cumberland, Plumber. Sept 9 at 2. 67, Duke st, Whitehaven
Usher, Henry, Ebury st, Pimlico, Machine Maker. Sept 9 at 11. 33, Carey st, Lincoln's inn
Vale, Richard, Hereford, Innkeeper. Sept 17 at 10. Official Receiver, 2, Offa st, Hereford
Whisstock, Frederick, Woodbridge, Suffolk, Estate Agent. Sept 8 at 11.15. Moulton and Fisk, Auctioneers, Woodbridge
Whitehouse, Cornelius, jun, Birmingham, Boot Manufacturer. Birmingham. Sept 9 at 2. Official Receiver, Birmingham
Wildsmith, Joseph, Westgate, Mansfield. Hay Dealer. Sept 8 at 11. Official Receiver, 1, High pavement, Nottingham
Williams, Walter Alfred Whitehead, Stockwell, Surrey, Florist. Sept 15 at 11. 33, Carey st, Lincoln's inn
Wilson, James. High st, Wombwell, nr Barnsley, Grocer. Sept 8 at 10. Official Receiver, 3, Eastgate, Barnsley
Winning, Henry Lawrence, Cheltenham, Yeast Dealer. Sept 7 at 3.30. County Court, Cheltenham
Winscom, Richard Weeks, Woolston, Hampshire, Grocer. Sept 8 at 11. Official Receiver, 4, East st, Southampton
Wood, George Henry, Harrogate, Yorks, Confectioner. Sept 10 at 1. Official Receiver, 17, Blake st, York
Wright, George, and John Rogers Browne, Nottingham, Lace Manufacturers. Sept 8 at 12. Official Receiver, 1, High pavement, Nottingham
Wright, Henry, Hare st, Bethnal Green, Leather Seller. Sept 8 at 12. 33, Carey st, Lincoln's inn

ADJUDICATIONS.

Adams, Arthur, Loughborough, Machinist. Leicester. Pet July 21. Ord Aug 26
Andrews, James, Melksham, Wilts, Grocer. Bath. Pet Aug 23. Ord Aug 26
Applegarth, Thomas, Sedgefield, Butcher. Stockton-on-Tees and Middlesbrough. Pet Aug 10. Ord Aug 25
Barnard, Thomas J., Connaught rd, Harlesden. High Court. Pet Aug 28. Receiving order made under Sec 103
Bastow, Walter, Loughborough, Waiter. Bradford. Pet Aug 27. Ord Aug 28
Blundell, Thomas Edwin, Rushock, Worcestershire, Farmer. Worcester. Pet July 28. Ord Aug 28
Brittain, John, Walsall, Bridle Cutter. Walsall. Pet Aug 25. Ord Aug 28.
Carter, Thomas, Huddersfield, Boot Maker. Huddersfield. Pet Aug 12. Ord Aug 26
Clapham, James, Bradford, Basket Manufacturer. Bradford. Pet Aug 27. Ord Aug 27
De Beer, Joseph Baruchson, Liverpool, Merchant. Liverpool. Pet Aug 27. Ord Aug 28
Foote, John Benjamin, Liverpool, Shipowner. Liverpool. Pet July 9. Ord Aug 28
Giles, Frederick William, Chilham, Kent, Builder. Canterbury. Pet Aug 17. Ord Aug 27
Goodger, Thomas, Carlisle, Clock Maker. Carlisle. Pet Aug 25. Ord Aug 28
Gwinnell, Edwin, Iron Acton, Gloucestershire, General-shop Keeper. Bristol. Pet Aug 17. Ord Aug 26
Halford, John Henry, Gt Marylebone st, Licensed Victualler. High Court. Pet Aug 17. Ord Aug 26
Hearn, Henry, Bodmin, Cornwall, Farmer. Truro. Pet July 5. Ord Aug 27
Hemming, John Joseph, Cheltenham, Solicitor. Cheltenham. Pet Aug 11. Ord Aug 27
Herschell, George A., Moorgate st, Doctor of Medicine. High Court. Pet June 29. Ord Aug 26
Hill, Edward, Portslade, Sussex, Draper. Brighton. Pet July 10. Ord Aug 26
Inch, William, Mount Charles, nr St Austell, Grocer. Truro. Pet Aug 23. Ord Aug 27
Johnston, Charlotte Eliza, West Brighton, Schoolmistress. Brighton. Pet Aug 5. Ord Aug 26
Jones, David James, Walsall, Licensed Victualler. Walsall. Pet Aug 25. Ord Aug 28
Osborn, Edward Elijah, Gillingham, Kent, out of business. Rochester. Pet Aug 26. Ord Aug 26
Owen, Richard, Llanfaelog, Anglesey, Grocer. Bangor. Pet July 16. Ord Aug 26
Pope, Frederick William, Shepton Mallet, Somerset, Draper. Wells. Pet Aug 10. Ord Aug 27
Rattenbury, Ebenezer, Exeter, Tailor. Exeter. Pet Aug 13. Ord Aug 27
Roberts, Edward, Rhymney, Mon, Grocer. Tredegar. Pet Aug 18. Ord Aug 28
Rogers, Henry, Egham, Surrey, Builder. Kingston, Surrey. Pet Aug 11. Ord Aug 28
Rostron, Thurston, Over Darwen, Lancashire, Coal Agent. Blackburn. Pet Aug 25. Ord Aug 28
Shreve, Alfred, Newcastle on Tyne, Confectioner. Newcastle on Tyne. Pet Aug 25. Ord Aug 26
Smith, Alan Kincaid, Westbourne pk, Gent. High Court. Pet May 1. Ord Aug 26
Spenceley, Robert, Pickering, Yorks, Coal Dealer. Scarborough. Pet July 19. Ord Aug 27
Thornley, William Hearnshaw, and Arthur Dakeyne Webster, Nottingham, Lace Dyers. Nottingham. Pet Aug 9. Ord Aug 27
Whisstock, Frederick, Woodbridge, Suffolk, Estate Agent. Ipswich. Pet Aug 26. Ord Aug 26
Wilcoxon, Charles, Newington causeway, Traveller. High Court. Pet July 16. Ord Aug 26
Wilson, James, Hastings, Brewers' Agent. Hastings. Pet Aug 23. Ord Aug 23
Willis, John, Hetton le Hole, Durham, Implement Maker. Durham. Pet Aug 6. Ord Aug 26
Winscom, Richard Weeks, Woolston, Hampshire, Grocer. Southampton. Pet Aug 25. Ord Aug 26
Winter, Edmund, Christchurch, Hampshire, Builder. Poole. Pet Aug 12. Ord Aug 28
Wright, William Walmsley, Bolton, Lancashire, Tea Merchant. Bolton. Pet Aug 12. Ord Aug 26

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